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# East Europe Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

No. 1807

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20 August 1980

**EAST EUROPE REPORT**  
**POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS**

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**CONTENTS****PAGE****INTERNATIONAL AFFAIRS****Briefs**

Albanian Group Returns From Kosovo  
 Kosovo Delegation Leaves Tirana

1  
1**BULGARIA**

Problems of Conurbation Systems Outlined  
 (Grigor Stoichkov; NARODNI SUVETI, No 6, 1980) .....

Admiral Discusses Contemporary Naval Warfare  
 (Ivan Nikolov; NARODNA ARMIYA, 20 Jul 80) .....

2  
9**GERMAN DEMOCRATIC REPUBLIC**

Crime Prevention Measures Bring Mixed Results  
 (Various sources, Jun 80) .....

West German Commentary  
 Citizen Involvement Stressed,  
 by Ulrich Daehn

Duties Aboard Mine Clearing Ship Described  
 (Horst Spickereit; AR ARMEERUNDNSCHAU, Jun 80) .....

12  
23**POLAND**

Human Rights Guarantees in Polish Constitution Analyzed  
 (Krzysztof Pomian; ESPRIT, Mar 80) .....

28

|   |    |
|---|----|
| KSS-KOI Letter on Marek Kaczkowski to Sejm<br>Commission Published<br>(DZIENNIK POLSKI, 5 Jul 80) ..... | 45 |
|---|----|

## ROMANIA

|  |    |
|--|----|
| Reduction of Independence From USSR Alleged<br>(Bernard Guetta; LE MONDE, 23 Jul 80) .....   | 50 |
| Need for Authentic Cultural Values Stressed<br>(Gheorghe Stroia; ROMANIA LIBERA, 7 Jun 80) .....   | 55 |
| Increased Emphasis on Public Opinion Envisaged<br>(Ion Mitran, Petru Panzaru; ERA SOCIALISTA,<br>5 Jun 80) .....   | 59 |
| Role of History in Fostering Understanding Among Peoples<br>(Aurél Loghin; ERA SOCIALISTA, 5 Jun 80) .....   | 69 |
| Parents Criticized for Giving Children Foreign,<br>Embarrassing Names<br>(FLACARA, 3, 10 Jul 80) .....   | 75 |
| Need for 'Unpretentious' Names, by Al. Graur<br>'Social and Patriotic Responsibility',<br>by Adrian Dohotaru<br>Search for 'Rare' Names Derided, by Ion Coja |    |
| Plagiarism of History Texts Alleged<br>(Various sources, 10, 31 Jul 80) .....  | 78 |
| Bucharest Teacher Accused, Editorial Report<br>Firm Retaliatory Measures Needed  |    |
| Ceausescu Criticizes Poor Progress in Nuclear<br>Plant Construction<br>(SCINTEIA, 18 Jul 80) .....   | 80 |

## YUGOSLAVIA

|  |    |
|--|----|
| Roundtable Discussion Held on Workers' Strikes<br>(Vladimir Milano; SOCIOLOGIJA, Oct-Dec 79) ..... | 82 |
|--|----|

INTERNATIONAL AFFAIRS

BRIEFS

ALBANIAN GROUP RETURNS FROM KOSOVO--A group of students and teachers from the Tirana Higher Institute of Arts returned to Tirana, from Kosovo, where they had been invited by Pristina University. The group was met by Ibrahim Madhi, director of the Higher Institute of Arts. During their stay in Kosovo they also visited Prizren and gave a concert for pupils of music school and engaged in other activities throughout Kosovo. [Summary] [AU242017 Tirana Domestic Service in Albanian 1800 GMT 23 Jun 80 AU]

KOSOVO DELEGATION LEAVES TIRANA--The delegation of the enterprise of school books and educational devices of Kosovo, led by the director Ramush Rama which came to Tirana at the invitation of the School Book Publishing Enterprise left on 29 June. Upon its stay the delegation visited the capital and other districts. It was received by Lili Zhamo vice-minister of education and culture. [Summary] [AU302115 Tirana Domestic Service in Albanian 0600 GMT 30 Jun 80 AU]

CSO: 2100

## BULGARIA

### PROBLEMS OF CONURBATION SYSTEMS OUTLINED

Sofia NARODNI SUVETI in Bulgarian No 6, 1980 pp 6-8

[Statement by Grigor Stoichkov: "Further Development and Strengthening of Conurbation Systems"]

[Text] Comrades, as speakers at today's meeting emphasized, problems of administrative services are of social and political significance. That is why they must be steadily perfected and made consistent with the requirements of the socioeconomic development of the country and the society. Administrative services account for a considerable share of the activities of the people's councils. They are the closest to the population.

In this connection, allow me to discuss some problems of obshtina people's councils.

One year has already passed since, implementing the decisions of the March 16<sup>th</sup> BCP Central Committee Plenum, the conurbation systems were formed and new local state and people's self-management organs were established. This one-year period confirmed the correctness of the party and government decisions on making a reform in the settlement organization of the country. The creation of new obshtinas and municipalities was accepted and properly appreciated by the people. This is entirely natural, for such problems affect the interests of the entire society.

Practical experience has indicated that the obshtina people's councils and the municipalities are authoritative organs of the state system and the people's self-management. The establishment of municipalities proved to be a positive means for strengthening the state system in small settlements and promoting initiative in the areas of urbanization, hygiene, self-satisfaction of the population with farm products, and others. This was unquestionably confirmed by the population when the one-year activities of obshtina people's councils and municipalities were summed up.

The demarcation of the boundaries of the agroindustrial complexes in accordance with the territorial size of conurbation systems as well plays

a positive role. It also favorably influenced the application of the system for self-satisfaction with basic farm products. Now the problems are resolved more concretely and rapidly and the results are obvious.

In the course of the past period the government repeatedly discussed problems of strengthening the new obshtinas and municipalities. Documents were issued creating the necessary conditions for the proper operation of the local organs.

The okrug and obshtina people's councils make great efforts to insure the proper and timely implementation of the party and government documents.

However, not all problems were resolved completely. This had and continues to have an adverse effect on the activities of the people's councils.

That is why, yet once again, we must focus the attention on unresolved problems.

What are they?

First. The okrug people's councils have not granted all the rights stipulated in the party and government documents to the obshtina people's councils of the conurbation systems.

What does this imply?

Excessive planning centralism has not been eliminated. In practice the plans for the socioeconomic development of conurbation systems are drawn up by the okrug people's councils;

No real rights have been granted to the obshtina people's councils in the field of investments. To this day plans for capital construction are drafted on the okrug level. Specific lists are drawn up for the projects to be built on the territory of the conurbation system. In some cases, this is being done even without the knowledge of the local authorities. The obshtina people's councils have still not become investors in projects within the conurbation system. No rights have been granted in the area of designing;

The obshtina people's councils play an insufficient role in managing activities related to public health, education, manpower control, and others;

Some okrug people's councils engage in excessive petty supervision of obshtinas and directly control the activities of municipalities, thus lowering their leading role as local authorities.

In other words, some okrug people's councils have not reorganized themselves and granted the rights to the obshtina people's councils stipulated in the legal documents, even though in 1979 the Council of Ministers passed a regulation reassigning and concretizing the rights of okrug and obshtina people's councils and municipalities.

That is why in April and May the executive committees of the okrug people's councils must review at a special meeting or session the one-year activity of obshtinas and municipalities and approve measures for the elimination of committed errors, particularly in terms of the allocation of rights.

At the same time, the obshtina people's councils must be helped to assume these rights and properly exercise them in their activities.

In other words, conditions must be created for the further consolidation of obshtina people's councils and municipalities.

Second. The ministries, departments, and okrug people's councils have not fully implemented the government's decisions on establishing their branches in conurbation systems.

They have not entirely reorganized the work of the okrug branches in conurbation systems. This applies to consumer and trade services, the communal economy, communications, transportation, power supplies, banking, and others.

Thus, branches of the Urbanization and Communal Economy Economic Enterprise have been created in only 137 conurbation systems, while in 153 systems urbanization and communal facilities are provided by enterprises of neighboring conurbation systems. According to the normative documents this is admissible. However, some conurbation systems have the facilities and a sufficient volume of work justifying the creation of such enterprises. This, however, is not being done. Yet, everyone is familiar with the tasks assigned such enterprises in communal activities and, particularly, in the maintenance and repair of housing. We must point out that the condition of the housing facilities is more than alarming.

Data indicate that a large percentage of the housing facilities has become physically and morally obsolete. About 40 percent of the available housing should be reconstructed and modernized, while, currently, over 80 percent requires current repairs. Every year the funds allocated for current repairs remain unused. Thus, for example, of the 30 percent of the rental income, allocated for repairs, Sofia uses 15.5 percent; Pernik uses 14.6 percent; Plovdiv uses 11 percent, and Pazardzhik, 10.2 percent.

The state of capital repairs is no better. Thus, the 1979 plan was fulfilled as follows: Pernik Okrug, 1.1 percent; Vratsa Okrug, 12.6 percent; Targovishte Okrug, 20 percent; Gabrovo Okrug, 25 percent; Shumen Okrug, 30 percent, and so on.

Major shortcomings are found in terms of the quality and prices of construction-repair operations, and others.

Failure to resolve these problems triggers the justifiable discontent of the citizens.

That is why we must undertake the building of urbanization and communal activity enterprises in each conurbation system. They would assume the repair and maintenance of housing facilities.

The Building of Conurbation Systems Okrug Economic Directorates have not set up obshtina branches. So far only 19 conurbation systems have organized branches or groups. The remaining 272 obshtinas are serviced by the okrug directorates. The fact that such services are provided by the center makes its level entirely clear.

The Trade Economic Directorates have set up enterprises in 68 conurbation systems.

The State Savings Bank has branches in 184 conurbation systems; it maintains branches or representatives in the post offices of the remaining systems, providing a limited number of services.

The distribution of books and motion pictures, electric power supplies, water supplies, insurance, communications, and others have been largely centralized in the okrug centers. Furthermore, book stores, movie theaters, pharmacies, photography studios, and others, are directly under the control of the respective okrug enterprises without the participation of the obshtina people's councils.

We know that difficulties exist (available items, premises, personnel, and others). However, we cannot agree with the explanation provided by some central managements claiming that the branches they have set up are suitable under the new conditions of the conurbation systems as well, that the new economic approach does not allow the creation of a number of units, and so on.

The problem is that the nature of the conurbation systems as a single economic and social organism on the territory of a given obshtina is underestimated.

This is also a problem of discipline, for the decisions of the Council of Ministers governing this matter were not obeyed.

This situation demands that in 1980 the economic organizations and state organs set up branches in the conurbation systems. The managements of ministries and departments must take energetic measures, for such branches are the closest to the people, and their establishment is in the social interest.

In turn, the okrug people's councils must display greater initiative and persistence in their dealings with ministries and departments on the matter of setting up branches in conurbation systems.

In other words, we must shift the specific practical work to the conurbation systems.

Third. In some conurbation systems the development of a socioeconomic base is slow.

Practical experience has indicated that the economics of settlement systems of the fourth and fifth functional types is developing unsatisfactorily.

Currently the conurbation systems have agroindustrial complexes and village cooperatives. However, this is insufficient to insure jobs for the entire population. That is why they should open shops and small enterprises.

Specific instructions have been issued on this matter by Comrade Todor Zhivkov. There is a government decision to this effect. All that is lacking is practical implementation. Some ministries and departments are displaying a certain unwillingness as well. However, this is not the only trouble. The trouble is that some okrug people's councils have still not become clear as to the development of the economic base of such conurbation systems. That is why in their 1980-1981 plans as well the okrug people's councils and the ministries stipulate virtually no building of shops and small production enterprises.

This is the reason for the continuing migration processes away from the villages, which is alarming. The study of migration processes indicates a continuing trend of decline in the size of the rural population and the depopulation of some settlements and rayons. Between 1975 and 1978 the population of 209 conurbation systems declined out of a total of 291. Only 82 conurbation systems showed an increase in population. They included 27 obshtinas with an okrug center, 46 with a city center and only 9 with a village center.

The conclusion is that the okrug centers and some cities are continuing to grow at an accelerated pace, already at the expense of conurbation systems.

Let me inform you that work on the Unified Territorial Structure Plan of the Bulgarian People's Republic is nearing completion. Currently it is being synchronized with the general system for the location of production forces. These documents stipulate the development of the economic base of conurbation systems as well.

The main thing now is for the okrug people's councils to display the necessary initiative and determine, on the basis of the existing industrial facilities, the conurbation systems in which it would be advantageous to develop some industries. In this connection solutions must be sought, help given, and suggestions formulated.

This is particularly imperative now, as we draft the Eighth Five-Year Plan in the course of which the problem of the fourth and fifth functional-type conurbation systems must be resolved.

Fourth. The reorganization of transportation services i. the conurbation systems is another major problem.

Problems of transportation services have been considered by the Council of Ministers with the participation of the Ministry of Finance, Ministry of Transportation, and the Committee for Architecture and Public Works. The main problem in the timely organization of regular transportation in conurbation systems is its maintenance. The question must be prepared and submitted for decision.

Also unresolved is the problem of communications. It was discussed by the Council of Ministers but was not entirely resolved.

In these two areas as well the initiative and active intervention of the okrug people's councils is required. Ministries, departments, and okrug people's councils must resolve them by 1982.

The further development and strengthening of the conurbation systems and their state organs require the systematic application of the new economic approach and the self-support principles in resolving the socioeconomic problems of conurbation systems.

As instructed by Comrade Todor Zhivkov, also nearing completion is the drafting of the regulation on the new economic mechanism in conurbation systems, based on self-support. This is of exceptional importance in increasing the economic incentive of the obshchina people's councils to promote the further socioeconomic development of conurbation systems, the effective utilization of resources on conurbation system territories, the fuller coordination of the plans for the comprehensive development of conurbation systems with the obshchina budget, and the payment of salaries to the personnel of obshchina people's councils and municipalities in accordance with the fulfillment of the plan and the revenues.

These are the problems to which I wanted to draw your attention. They are directly related to population services. At the same time, their solution will bring about the further development and strengthening of the conurbation systems.

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CSU: 2200

## BULGARIA

### ADMIRAL DISCUSSES CONTEMPORARY NAVAL WARFARE

Sofia NARODNA ARMIYA in Bulgarian 20 Jul 80 p 2

[Article by Rear Admiral Ivan Nikolov: "According to the Rules of Naval Combat"]

[Text] The tempestuous development of the ways and means of armed struggle at sea have brought about considerable changes in naval battle tactics. Combat at sea has retained its nature of a face-to-face struggle between conflicting sides. However, it is characterized by a far broader range of combat operations, high effectiveness and dynamics, rapidly changing circumstances, and increased significance of sudden and headlong actions. The creative initiative of the commander, his daring, and his decisive closing in on the enemy so that he may use his weapons, and the struggle for the first volley from the greatest possible distance are very important to the success of a modern sea battle.

The requirement of learning what would be required in a war in the course of exercises and obeying the rules of naval combat has remained unchanged. However, the means for the practical implementation of this requirement have become considerably more complex in accordance with the development of the ways and means of naval combat. Let us consider tactical exercises involving the use of the ship's artillery. In the past a small firing range and a tug dragging the target were necessary. This was largely sufficient in simulating naval combat. Today such a tactical fire exercise cannot be carried out without the use of considerable support ways and means. Or else, let us consider submarines. The struggle against them has become considerably more complex because of their high maneuverability, powerful weapons, and technical facilities. Today the most frequently encountered situation in the search for and pursuit of a submarine is the duel: a decisive strike, maximum volley, immediate counterstrike even in the case of a doubtful contact, and so on. This greatly widens the area needed for such exercises. A properly planned tactical background must be created as close to real combat as possible and take the enemy's concepts into consideration. The organization of the battle must be such as to provide prerequisites for success. The detection and location of the enemy, prompt deployment, division of targets and target indications are very important.

The increased combatality of combat training is manifested also in the increased amount of basic preparatory work without which organized combat exercises at sea cannot be held. In order to meet such requirements in accordance with naval combat rules, the commanders must study the expected weather conditions and the exercise area itself. Familiarizing the tactics of the real enemy, they must indicate the specific activities of support forces, and plan ways and alternatives for effective combat counteraction. Nor should they forget the need for fullest utilization of each type vessel. An such saving of a group of ships involves substantial outlays of motor power and fuel.

The successful implementation of all this calls for a better utilization of training possibilities at the base, in class, and in simulators. The sensible and purposeful conduct of group exercises, short tactical meetings, and crew training will enable personnel to be ready in terms of the most important standard features of various combat situations. Past experience has clearly confirmed that training under base conditions largely determines the fruitfulness of combat training at sea. This is well exemplified by the ships of the unit where Officer Pachey and staff specialist officers Donev, Kiriy, and Iliev serve. What distinguishes their activities? Above all, their careful individual work in planning training in the base and at sea, thoroughly planned tactical events, and the aspiration to always plan for complex saving operations. They proceed from the fact that whatever one knew and was able to accomplish yesterday is insufficient today. In this respect these officers themselves provide examples of a creative approach and a feeling for the new and teach their subordinates to act similarly. Officer Pavlov could be cited as an example. Preparing for exercises at sea he pays great attention to discussing them in tactical emergency meetings. Skillfully using classrooms and simulators, and relying on staff specialists, he sees to it that all officers, petty officers, and seamen are always learning in dynamic and complex circumstances. His critiques as well are like a teaching course. That is why the actions of his subordinates are distinguished by their decisiveness and combat skill.

Unfortunately, the creative approach, and the feeling for the new in training, things which are consistent with the requirements of science and practical experience, have not as yet been adopted as a work style by all commanders. I recall an exercise of an antisubmarine crew commanded by Officer Yanev. The simulator facilities enabled him to create complex conditions similar to those of a real engagement with an enemy submarine. However, entrusted to an inexperienced officer unfamiliar with its combat possibilities, the crew maneuvered arbitrarily and was not given precise tactical assignments. The exercise took place under simple combat conditions and, clearly, did not substantially contribute to improving the training of the ship's antisubmarine crew preceding the sailing.

The CCP develops the best commanding qualities needed for victory in combat-tactical and sea training, willpower which inspires the crew, endurance, decisiveness, intuition, and precise thinking. Here again, at sea, it is very important to rate any training initiative on the basis of the strict criteria of naval combat, to be intolerant of routine and simplification, and always support the desire for creative search shown by commanders in tactical training.

Recently a group of ships were scheduled for a distant and long sailing. This was a truly serious test and statements were made that for such a complex run some young officers should be replaced by more experienced ones. The senior commander disagreed categorically. The exercise proved that the young officers successfully coped with their difficult assignments and displayed their high combat and tactical training. In the complex circumstances they acted as their experienced commanding officer had taught and shown them.

Even though rare, there have been cases in which senior commanders engage in petty supervision instead of training young officers informally and through their example. Occasionally they groundlessly replace them. Some commanding officers try to lecture, constantly interrogate the young commanders as to their intentions, and hasten to rate them before the end of the event. This is unproductive. In such cases the ship's commander feels paralyzed and he is afraid of making a nonroutine decision. Yet, how would a commanding officer, accustomed to petty supervision, act in real combat when no such supervision will be available?

Organizing sea battle exercises, particular attention must be paid to prerequisites which guarantee success such as the concealed and timely deployment of forces (neither early nor late) under conditions most favorable to our side. The aspiration is to steadily improve the coordination among the ships not as a prerequisite for precisely keeping their place in the line but as a prerequisite for firm and steady control and reciprocal understanding. Hence the practical task of commanders of preparing joint actions in carrying out any combat exercise at sea. Commanders must think not only of the first strike but insure the success of the following one. We must never forget that victory in a naval battle begins with the organization of support. Commanders who make errors in the timely outfitting of the ships and replenishment of ammunition must be strictly taken to task.

Our ships and units have great experience in resolving complex combat training problems at sea under conditions close to real combat. However, they also have many unused possibilities to improve the tactical and specialized training of the commanders and seamen and for the qualitative implementation of all combat initiatives at sea. This requires that we steadily upgrade the individual responsibility of every officer, petty officer, and seaman and of staff specialists in order to further improve training under base conditions and increase the effectiveness of each mile sailed.

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## CRIME PREVENTION MEASURES HAVING MIXED RESULTS

West German Commentary

Bonn IWE-TAGESDIENST in German No 92, Jun 80 pp 2-3

[Report from Berlin: "Hardly Any Success in Crime Prevention." A translation of the East Berlin STAAT UND RECHT article cited below follows this commentary]

[Text] In its No 6 issue, 1980, the East Berlin review STAAT UND RECHT admits that little success has been achieved by the efforts of GDR authorities to prevent the growth of crime in residential districts by encouraging "mass movements" such as the action for state distinction as a "residential district of exemplary order and security." The review named as one of the main reasons the campaign's reduction to orderliness and neatness in the narrowest meaning as well as the inadequate involvement of citizens. In any case the steadily rising numbers of residential districts distinguished as exemplary and the arguments resulting therefrom alone about the efficacy of the competition are said to be "quite unrelated to the actual and demonstrated progressive changes and results." According to the review special attention should be devoted in this connection to the "leisure time group activities of young people" in residential districts, so as to ensure "that they do not fall prey to criminal tendencies."

### Citizen Involvement Stressed

Potsdam-Babelsberg STAAT UND RECHT in German Vol 29 No 6, Jun 80 signed to press 22 Apr 80 pp 507-518

[Article by Prof Dr Ulrich Daehn, prorector (dean) for research, and Prof Dr Guenter Lettmann, both of the GDR Academy of Political Science and Jurisprudence: "Some Aspects of the Continued Consolidation of Socialist Legality." A translation of the East Berlin NEUE JUSTIZ article cited in footnote 11 is published in JPRS 75446, 7 Apr 80, No 1777 of this series, pp 72-77. A translation of another NEUE JUSTIZ article, discussing the Supreme Court "Guidelines" cited in footnote 12, is available in JPRS 71360, 27 Jun 78, No 1553 of this series, pp 78-87.]

[Text] The historic aim further to organize the developed socialist society and thereby provide fundamental prerequisites for the gradual transition to communism requires profound and lasting results also in regard to the consolidation of legality, security and order as well as the prevention of and fight against crimes and other offenses.

The preparations for the Tenth SED Congress inspire reflection about purposefully expanding the progress achieved in this area in implementation of the Ninth SED Congress resolutions, and where to mainly strengthen the common efforts of society, state and citizens in order to continue successfully to cope with the challenging economic, social and intellectual-cultural tasks in the conditions of the more acute class conflict between imperialism and socialism and the complex world economic situation, at the same time maintaining the greatest possible openness toward the world at large. The CPSU Central Committee resolution "on the improvement of the work for defending the legal order and the reinforcement of the struggle against crime"<sup>1</sup> provides valuable suggestions. It draws our attention to reserves of efficiency. These consist mainly in the even more thorough utilization of all resources of state and social influence and education, greater resolution in tackling crime prevention and crime fighting, the further deepening of the comprehensiveness of our approach to and the unity of the work of party, state and economic organs and the social mass organizations, committees and forces, and the even more extensive involvement of the masses of the working people. The party leadership organizations are called upon to unite the many state and social actions and concentrate on specific key issues, for example the better protection of public order in cities and villages, the consistent struggle against alcoholism and alcohol abuse, the perfection of crime prevention among young people in educational institutions, work collectives and residential districts, the increased struggle against attacks on socialist property, goldbricking and speculation. The many actions of state and economy managing organs, social organizations and working people are to be assisted by the standardized use of legal norms in the courts.

No doubt these problems--though modified and with some different accents, that is not simply transferable--are important in our country also and evidently reflect certain general trends and requirements of the further consolidation of legality, security and order as well as efficient crime prevention and fighting. This certainly applies without reservations to the basic orientation according to which in future also crime prevention must focus on work collectives and residential districts in order fully to enlist the creative abilities of the working people for the accomplishment of the main task.

At the center of our united economic and social policy is the intensive improvement of economic capacity which, simultaneously, includes the assurance of the working people's steady readiness to give of their best. That is why, from this aspect, the further consolidation of legality, security and order as well as crime prevention and fighting must become even more

effective, must be even more consciously used as an economic force and converted into social energy. Some inherently well known relations thereby assume particular weight.

The consistent observance of legality, security and order is an objective requirement of the operation of a highly organized economic mechanism in general as well as of a modern industrialized production process in particular. It assumes growing importance with the increasing complexity, interlinking and interdependence of economic and social development and the rapid transfer of scientific-technological advances. Greater economic capacity involves a higher standard of state and plan, contract and labor discipline as well as the definite lowering of still persisting losses caused by all kinds of disciplinary and legal offenses, not least by crime. We have extensive legal regulations to ensure output appropriate to dates, quality and assortment, for the efficient utilization of the material and financial funds of social property, the full utilization of working hours, the thrifty use of materials, the assurance of uninterrupted operations and, especially, accident prevention to safeguard the lives and health of the working people. There is, therefore, no lack of binding requirements on the socially and economically efficient behavior of managers and work collectives; nor, in our opinion, are these requirements unfamiliar to those concerned. As a rule it will also be well-nigh impossible to put forward salient objections to their observance. This is not to say that they must sometimes be implemented in difficult conditions and by dint of considerable efforts and the utmost preparedness. Normally, though, these legal requirements are relatively simple and easily observed, and the various types of offenses demonstrate that they are very largely avoidable. Actually, therefore, it is necessary by persuasive politico-ideological education and scientific management to provide such conditions as to ensure that socialist legality is observed consciously and voluntarily, that a climate of legality, security and order develops, while crimes and disciplinary offenses are not tolerated.

Experience teaches us that a highly authoritative state plan exerts a considerable influence on responsible behavior. The skilled, scientific and creative planning, realizability, reliability and stability of the plan, the rhythm and continuity of plan fulfillment are of fundamental importance as regards legal education. They evoke those positive attitudes to the plan, which are reflected in many initiatives and disciplined actions for the accomplishment of plan targets. Precisely these attitudes to the state plan as the highest law in terms of the constitution are increasingly one of the most significant elements and criteria of socialist legal consciousness generally. They motivate and stimulate appropriate social and legal behavior and the readiness to combat crime and disciplinary offenses, mismanagement and waste.

Furthermore the observance of legality, security and order crucially depends on the way the state manager handles his personal responsibility. In general we may claim that the accomplishment of the assignments in this

rule is more and more a firm component of management. However, a positive effect occurs only if the manager himself sets an example of demonstrating the seriousness of his commitment to the law and legality even in difficult situations by way of his own decisions in this field, if he displays resolution and consistency, and if the management collective as well as the work collectives are fully aware that "nobody will let anything go by" and all--even the hardest problems will be dealt with on the basis of legality. The conviction that legal security and justice will prevail is one of the most important conditions for the provision of a creative psychological atmosphere or--as is pertinently stated in Soviet literature--the development of "happy mood management" in the work collective. For the improvement of the efficiency of social work and the willingness of the working people such an atmosphere is just as important as the material-technical assurance of a smooth flowing production process. It is imperative for the principle to prevail that there are no alternatives, no contrary decisions with regard to the mandatory requirements of socialist law.

This principle must be upheld especially in the work of the manager. Even now attempts are made to justify consciously illegal decisions, adopted from narrow and selfish enterprise aspects, which claim allegedly beneficial economic effects; there are also deviations from legal standards which might be described as well intentioned or "honestly" motivated. Yet none of these decisions should enjoy social recognition; instead they must evoke party-like criticism and legal responsibility because they are liable to cause considerable disruptions in the reproduction process. In our opinion the ability to properly appraise the total political, economic and social effects of his decisions is definitely an essential feature of the modern socialist manager.

In direct connection with the above a well functioning system of state and social checks also has a growing economic and ideological function. These checks must permeate the entire social reproduction process, its management and planning, and exercise a vital influence on the consolidation of legality, security and order, especially in regard to economic actions. V.I. Lenin emphasized that "it is most important to make it impossible for anyone to avoid giving an account of himself, to hide the truth, to circumvent the law. However, the possibility of doing so can be removed only by the supervision of the workers in the workers state."<sup>2</sup> The reliable protection of social property largely depends on effective checks. Beginning with the assurance of the complete documentation of the real existing state property, it must extend to the exact proof of agreement between material stocks and financial records, the material and documented movement of social values and the use of funds as appropriated. By these means the potential of crimes at the expense of socialist property may be substantially reduced. On the other hand, though, the supervisory mechanism must be so complete that nobody is able to evade, let alone invalidate it. It further means that certain spheres of the reproduction process, such as defense, and certain economic processes, such as the movement of financial resources, must be made even more accessible to democratic checks by the

work collectives, in fact by the public at large. There are some indications that greater attention must be devoted to the observance of legal requirements and mandatory parameters in the sphere of planning and design because a substantial percentage of quality defects--resulting in litigation between enterprises or citizens and trade organs--are caused by violations of legal regulations in this sphere.

One of the most effective types of the development of social activism and social behavior is the mass movement of the struggle for distinction as "section of exemplary order and security" in the socialist competition in work collectives and residential districts. From this aspect its fundamental significance emerges in an even clearer light. It is a typifying element in the process of the evolution of the socialist lifestyle. In a harmonious fashion it unites production growth and willingness to perform, collectivism, democracy and the development of the personality with the further consolidation of legality, order and security for the comprehensive effect of improving the material and cultural standard of living. We must therefore have a more purposeful political direction of this movement and should not allow superficiality, one-sidedness or distortions to creep in. In fact, in present conditions it is imperative to set and maintain advanced criteria for the award of distinction. To be ranked exemplary means that demonstrable and lasting successes have been achieved in the consolidation or positive change of the entire status of legality, security, order and discipline, sustained by the actions of the entire collective and holding up even in difficult situations. This movement needs a strong impetus in the residential districts.

In fact the movement tends to vary considerably from one district to the next, and there are enormous differences in standards. No success has yet been achieved in abolishing many of the reasons for these differences, such as the inadequate coupling of the struggle for distinction with the "Join in!" competition, the reduction of distinction criteria to order and cleanliness in the narrowest meaning as well as the still inadequate involvement of the citizens. The quantitative increase in the numbers of residential districts distinguished as exemplary and the arguments about their efficacy almost solely supported by this numerical increase bear no relation whatever to the actual and demonstrated progressive changes and results. The necessarily greater challenges to the political leadership and management called for to enhance the efficacy of this social initiative in the residential districts are often not adequately met. The assurance of legality, security and order, reliable protection against crimes and other offenses in the residential districts are among the basic interests of the working people. Just as they do at work, they have a need and a claim to enjoy legal and secure conditions in their residential district in the narrower meaning and in their leisure occupations in the wider meaning. The certainty of a protected and secure atmosphere influences not only their own social activism in the residential district but also their willingness and capacity at work.

Another forward looking and basic direction of the utmost importance for the further organization of the developed socialist society is the communist education of the young generation on which will depend decisive advances in the consolidation of legality and more effective crime prevention.

"Our age calls for people with advanced knowledge, a clear political standpoint, well defined socialist morality; people who are able to do things and actually do them. This arises from the challenges of the scientific-technological revolution and the development of production as well as from the need actively to cooperate in the accomplishment of social tasks in our socialist democracy. Of vital importance for our progress now is the best possible, practical and relevant education of the young generation, its creative thoughts and actions, its consciousness and activism."<sup>3</sup> In coordinated cooperation all educators must devote even greater attention to this point in the context of the communist education of the young generation, emphasizing the development of moral attitudes and behavior w' th regard to the basic requirements of any community life as well as the readiness and ability to accept and meet responsibilities. Some of the tasks involved are of particular significance:

To be strengthened is the influence of the work collectives and collective socialist work on the education of children and young people for the observance of the standards of social community life, to conscious discipline, respect for work and the produced social values. The relations between work collectives and school students (godparent relations, temporary production work, and so on) must also be used and extended in such a manner that the young people realize the great demands arising in the assurance of legality, security and order, which must be met to safeguard an uninterrupted and efficient working operation in the interest of all working people, the need for them to familiarize themselves with the struggle of the work collectives for distinction as exemplary sector and live this struggle for themselves, and that they derive from all this conclusions regarding the conscious observance of the school order and their entire social behavior. The great exemplary effect of the youth brigades must be emphasized even more purposefully for the further consolidation of legality, security and order as well as effective crime prevention.

The social activism and independent actions of the young people, especially in their leisure hours, must be politically directed and organized in closer connection with the plan, so that our young generation may be even more intensively involved with the direction of the state and the implementation of the law, strive for the observance of legality, security and order, and resolutely counter any crimes and disciplinary offenses in their own ranks.

Of particular importance here are the extra-curricular study groups. Especially those study groups dealing with sociopolitical topics deserve more intensive encouragement. They are the study groups "socialist law," "young

traffic aides" and "young fire safety aides." It will be necessary to increase the kinds of study groups which teach the young people the exercise of political power, participation in the management of state and economy and the administration of justice. Local people's representations and their councils would be well advised to give them varied and specific assignments, for example as aides to deputies or arbitration commissions, allow the young people to report to meetings and award them the proper recognition.

For the development of young people to socialist personalities it is crucial to safeguard the unity of the educational process from childhood to entry in the work collective. We must therefore make sure that, at the earliest possible moment, the respective responsible state educators analyze and arrest stabilized behavioral deviations and eccentricities and their origins among the youngsters. At the same time individual measures must be adopted in order to prevent any deformation of the personality. The same applies to the state educators in the various stages of the development of the young (school, vocational school, professional training, apprentice hostels). In this context the responsibility of the state organs in the field of youth assistance is particularly great. Consequently the capability and efficiency of youth assistance commissions must be further improved by strengthening the cadres and purposefully training the voluntary workers.

State and social organs must devote special attention to the leisure time groupings of young people in the residential districts, which arise from the natural need for friendship and communication. It is imperative actively to involve them in the social life of the residential district, assign them tasks relevant to their own interests and thereby ensure that they do not fall prey to criminal tendencies.

Such a far sighted approach accompanied by concentration on a few but vital key issues is reflected in the draft resolution by the Potsdam Bezirk Assembly on long-range tasks for the further consolidation of legality, security and order and for more effective crime prevention.

In the current stage of our development the struggle for the consolidation of legality could not possibly proceed without court trials, without the means and methods used by labor, civil and family or criminal courts. At the same time all efforts in this direction would fail if we were to stop there.

Many fundamental and topical tasks for the further consolidation of the socialist legal order cannot be accomplished without the courts which must operate in close cooperation with the strength and authority of the collectives of working people. This includes the further increase in the responsibility of enterprise managers and work collectives for the observance of state and labor discipline as well as the necessity resolutely to deal with crimes, thieves who steal state property, disrupters of the public order and security as well as bribery, and at the same time oppose indifference and carelessness toward the criminal behavior of individuals.<sup>4</sup> The actions

of working people in enterprises and residential districts for order, security, discipline and legality need this effective support by the courts.

Socialist courts as instruments for the strict observance of socialist legality occupy a preeminent place. Their actions and aid serve

-- To shape the legal relations entered into by citizens, enterprises, institutions, and so on, to conform to legal requirements;

-- To clarify ambiguous legal relations by court decisions;

-- The adoption of mandatory decisions for the restoration of the legal status required by the law, which cannot be circumvented and may be enforced;

-- To protect the rights and interests of the state, the socialist society and the citizen from crimes and other illegal acts;

-- To discover the causes and conditions of crime and initiate measures to overcome them.

The courts are preeminent in the struggle against crime. Crimes and other offenses are still a serious problem in the life of our society. Types of crime and their effects are highly diverse. They range from assaults on the peace and the sovereignty of the GDR through disruptions of the national economy and inroads on social property to crimes against the subjective rights of GDR citizens. In their totality they are a factor which considerably and adversely affects the efforts of the socialist society and the socialist state for the assurance of the greatest possible legality in all areas of social life and the interest of the citizen in having the greatest possible confidence in the law. Of particular importance here are the roughly 125,000 crimes which, for a long time past, have been recorded every year. They include about 25,000 thefts of social property, 27,000 thefts of personal property, 10,000 premeditated bodily assaults and 8,000 traffic offenses.

In this connection we must point out that far more citizens are affected by the actual effects of crime than would appear from the mere numbers of offenses and crimes. At the end of 1979 the legislature took this fact into account and enacted a decree on the welfare of dependents of prisoners, which makes specific provision for ensuring the rights of persons who are dependent on a jailed criminal.<sup>5</sup>

In recent years the state courts also discussed and decided an average of 130,000 cases involving labor, family and civil disputes. Some 150,000 citizens received assistance from the courts in matters involving monetary claims. In 1978 the state courts recorded 40,554 applications with respect to civil suits and 82,473 to family suits--including 58,567 divorce applications. Received in the same period were 154,438 applications for court

enforcement of private claims. As regards labor disputes, in 1978 a total of 10,750 applications were lodged with and decided by state courts. The issue in dispute in 1,677 cases was the termination of employment, involved in 2,395 others were claims for wages, salary or other remuneration; in 3,038 cases insistence on material responsibility.<sup>6</sup>

Of course in areas of great importance to the citizen, such as rents, purchases and services, the courts are neither the only nor even the main approach to the assertion of claims. Studies have shown that many disputes in the field of rents, purchases and services are satisfactorily resolved by resorting to administrative means in the form of complaints or appeals consonant with legal regulations. For the citizen the satisfaction of civil claims is often achieved more easily and quickly by complaints or appeals. But even in those cases where claims are not satisfied by these means, and the citizen must call on the courts for redress, this approach must be as clear and easy to handle as possible. To ensure this it will be imperative to conduct studies regarding the further simplification of proceedings.

At the same time the decisions of social courts represents an extremely important and irreplaceable factor for guaranteeing socialist legality in all areas of social community life. This is clearly shown by the sheer extent of their operations. For many years about 15 percent of all criminal proceedings have been handed over to the social courts, are discussed and decided by them.<sup>7</sup> In 1978 the roughly 25,000 arbitration commissions dealt with some 40,000 labor conflicts, and 34,000 other disputes were conclusively decided as the result of their proceedings; 5,900 appeals went to the state courts and 1,368 of them were upheld (corresponding to 3.3 percent,<sup>8</sup> of all labor proceedings concluded by the arbitration commissions in 1978). On the application of citizens another 5,000 arbitration commissions annually handle more than 6,000 minor civil conflicts. The same number of conflicts is settled by talks with the parties involved even before they come before the arbitration courts.<sup>9</sup>

Socialist legality is enforced in many ways by the help of state and social court operations in the field of criminal, civil, family and labor law. The courts are held to a certain procedure in accordance with the respective trial regulations. These include the observance of the principles of socialist judgments, respect for the dignity of man, the ascertainment of the truth, an open trial, and so on, but also the obligation of the courts uniformly and justly to apply the laws of our state in the interest of the working people. The immense importance of court proceedings for the guarantee of socialist legality is also demonstrated by the fact that every lower court verdict must be reviewed upon the request of one, several or all parties involved. At the same time its high status in our society, for the community of citizens, is also apparent as a result of the fact that annually the interests of about 1 million citizens are in some way touched upon by court verdicts.<sup>10</sup>

Socialist courts are therefore a significant as well as an effective instrument of the socialist society and the socialist state for the enforcement of socialist legality. Primarily they offer the citizen the irrevocable right and genuine opportunity to make prevail his subjective legal claims which are granted him by the constitution and other legal regulations. Especially in the case of conflicts the courts are certainly the most effective means for the realization of the legislative will.

Free legal advice offers a great deal of aid and assistance to the citizen who wishes independently to settle legal conflicts consonant with legal requirements or from the outset to organize prospective legal relations to conform with the law. This advice is available from various organs. Citizens tend to call mainly on the courts, the law societies and the FDGB legal advice centers.

The life of our society is by now well-nigh unimaginable without the legal advice--given every year to about half a million applicants--by, for example, the legal advice bureaus of the kreis courts. They provide answers to the citizen on legal issues arising in his work and residential sphere and may also, with the help of the judge, deal with existing conflicts--even those which are already before the courts--and as a consequence achieve out-of-court settlements between the parties as per article 47 of the civil code. It is impossible to overestimate their role in the exercise of influence on the conscious and "legal" actions of our citizens. And everyone familiar with the subject is also aware that often the advice given directly helps the avoidance of illegal acts. In other words this type of "publicity" definitely and visibly prevents crime such as the unjustified nonpayment of child support or rent. The assurance of socialist legality and free legal advice are inseparable.

The opportunities and guarantees offered by socialist courts to all citizens for asserting and enforcing their rights are a real achievement of the struggle of the working class against capitalist and imperialist class justice, for democratic court operation directed to the welfare and the interests of the citizens. "We are concerned...to impose socialist legality by standardized criteria all over the country, to settle conflicts between citizens in conformity with the interests of the individual and society, and to assist total societal targets in the economic sphere. The assurance of the legal correctness of trial procedures, the protection and strict observation of the rights of those involved and the further improvement of the social efficacy of proceedings accompanied by a reduction in court costs are issues deserving of our attention."<sup>11</sup>

This makes it necessary to enforce socialist legality as the lode stone of court proceedings in every single case and without any short cuts. The fundamental decisions issued by the Plenum of the Supreme Court serve, among others, to achieve this goal.<sup>12</sup>

The assurance of being able to call on the courts--and their verdicts--enjoyed equally by all citizens represents an essential criterion and basic tool for the implementation of the constitutional rights and duties in our society. It is a significant aspect of constitutional reality.

#### FOOTNOTES

1. See PRAVDA, 11 September 1979, pp 1,3.
2. V.I. Lenin, Collected Works, Vol 26, Berlin 1961, p 91.
3. E. honecker, "Die Naechsten Aufgaben der Partei bei der Weiteren Durchfuehrung der Beschluesse des IX. Parteitages der SED" [The Coming Tasks of the Party in the Further Implementation of the Ninth SED Congress Resolutions], Berlin 1980, p 65.
4. Ibid, p 74.
5. See "Decree on the Welfare of Persons and the Protection of the Residence and Property During Imprisonment--Prison Welfare Decree--of 8 November 1979," GBl I pp 470 ff.
6. See "Statistisches Jahrbuch der DDR 1979" [1979 GDR Statistical Yearbook] Berlin 1979, pp 379 ff.
7. Ibid, p 382.
8. See G. Kirchner, "Arbitration Commissions Implement Legality in the Labor Code," NEUE JUSTIZ, 1972, p 108.
9. See H. Toeplitz, "Der Buerger und das Gericht" [The Citizen and the Courts], Berlin 1978, p 95.
10. See G.-A. Luebchen, "The Assertion of Socialist Civil Law," NEUE JUSTIZ, 1979, p 108.
11. H. kern/G. Sarge, "On the Work of the Courts in 1980," NEUE JUSTIZ, 1980, p 51.
12. See, for example, the guideline issued by the Supreme Court Plenum on issues of court hearings for the purpose of gathering evidence and establishing the truth in the socialist process of criminal justice, of 16 March 1978, GBl I pp 169 ff.

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GERMAN DEMOCRATIC REPUBLIC

DUTIES ABOARD MINE CLEARING SHIP DESCRIBED

East Berlin AR ARMEERUNDSCHAU in German No 6, Jun 80 signed to press  
28 Mar 80 pp 36-41, 73

[Article by Lt Col Horst Spickereit: "Lower the Port Line!"]

[Text] Two student noncommissioned officers are standing on the stern, looking out over the heavy seas. "Wow, look at those waves!" Werner Teubener, his face pale, pushes against little Gerald Schreiber. The latter makes a deprecating gesture: "You call those waves? They are just little ones." He is not bothered by a little rocking back and forth. Being an experienced gymnast, he is used to that kind of motion.

Behind them, crates and steel hooks are clattering about the deck, now to port, now to starboard. Two or three student noncoms are clinging to the railing. They are upchucking their breakfast. Teubener grins. This has not happened to him yet. And he secretly hopes that it will stay that way, even though his stomach feels a little funny. Teubener usually suffers from stage fright. After all, this is the moment when, after weeks of theoretical classroom work, he has to prove himself in practice; he must put mine-sweeping gear into the water without a hitch and later retrieve it. He hopes that everything will go well; in any case, he will do the best he can. Schreiber is more relaxed: "If we help each other, it will work." Both want to become regular noncommissioned officers, serve 10 years in the People's Navy. Their aim is to "train men, educate them. Be part of their growth. See what they are capable of. And see what we can accomplish ourselves. Four years of obligatory navy service as a noncom is not long enough."

One hour later things begin to move on the quarterdeck. Chief petty officer Klaus Rosenkranz, the ship's chief mining technician, summons the students with his loud voice. Today they will deploy a simple mine detecting gear, practicing every step in sequence. "Get that sweeping gear properly into the water!", he orders them. "The shearing otter must not turn or swivel around in the current. This could cause the towing cables to twist and break."

Student noncoms Schreiber and Teubener are posted as a team on the starboard side. Schreiber works in the immediate vicinity of the stern ledge. The

brownish blue ocean is foaming three meters below him. He fastens his safety belt, hooks it onto the railing. The shearing otter is already sliding toward him on the deck. He grabs hold of the 65-kilo, unwieldy piece of equipment, drags it to the edge, puts it into proper position, pushes it off with the heavy side first. He is glad to see it stabilize in the water, unreeving. "Shearing otters in the water!" he reports.

Taubener is pushing a float buoy along. It is heavy too, suddenly gets stuck, cannot be moved. He pushes with all his might, tries to move it forward. Suddenly it jumps loose, drops into the water. Taubener, surprised by the sudden movement, slips, falls to his knees. One meter away from the stern bulge! Scared, he watches the buoy float away. He could almost see himself in the water next to it. Man, next time I will be more careful!

Schreiber dreamily observes the two red objects as they recede from the ship, 1 meter at a time. "Don't dream! Don't dream!" The mining technician wants them to hurry up. "Deploy cutting claws!" Six of these metal pieces must be simultaneously hooked onto the port and starboard sweeping cables at predetermined intervals. Inasmuch as the shearing otters, floating in the water along with the buoys, develop an enormous draft which would make it impossible for anyone to hold the sweeping cable back, the steel cables are threaded through a cable vine. While they are securely held there for a moment, the sweeping cables are quickly shackled apart and the cutting claws attached. Taubener and Schreiber quickly catch on. Despite their unwieldy protective gloves they make the connections rapidly and, what is more important, correctly. This is not surprising; Taubener had previously carefully laid all the claws, screws and shackles out on deck. Careful preparation avoids mixups and excitement.

It is a different story with the two students on the other side. The mining technician must intervene several times, request the team to work more carefully. As he is doing right now. The two are attaching a claw the wrong way. "The opening must point in the direction of travel," the chief petty officer tells them. For heaven's sake, he grumps, why don't they think? Being in complete charge on the quarterdeck, Rosenkranz must keep his eyes and ears open to ensure good performance. "Slack on the port line!" - "Heave on the starboard line!" - the alternate commands ring on the deck. Commands to the winch operators to let the cables go slack or to tighten them. At the same time Rosenkranz must supervise the students - they are, after all, inexperienced. "Move your leg away from the cables!" he yells at one of them. During all the goings on, that one had not noticed that he was standing in the middle of the cable coils. What a thought, if those steel cables had suddenly been tightened...

Finally, all the gear is in the water. The men look over their accomplishment with satisfaction. Far to the rear, a few red balls are floating on the dark blue ocean. These are the buoys, marking the widespread position of the sweeping gear.

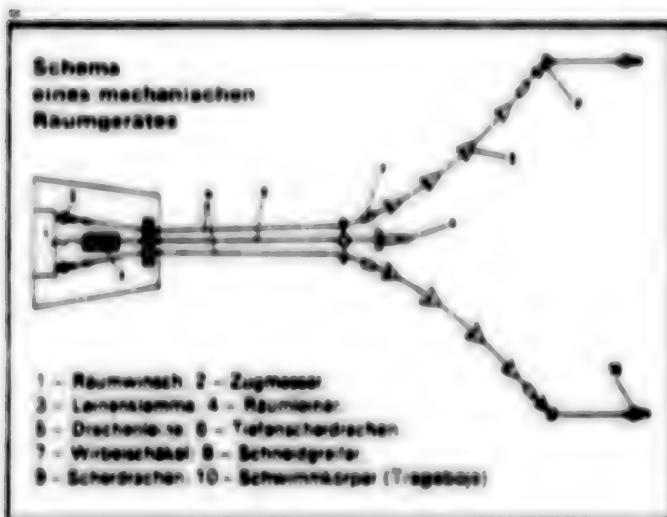


Figure 1. Diagram of a Mechanical Mine Sweeping Gear

Key:

|                    |                          |
|--------------------|--------------------------|
| 1. Sweeping Winch  | 6. Deep Shearing Otter   |
| 2. Draft Gauge     | 7. Swivel Shackle        |
| 3. Cable Vise      | 8. Cutting Claw          |
| 4. Sweeping Cables | 9. Shearing Otter        |
| 5. Otter Cable     | 10. Float (Carrier) Buoy |

Teubener and Schreiber can remove their workgloves (nicknamed "attachers" by the sailors) for only a few hours; then they hear the command: "Retrieve sweeping gear!" Everything they put in the water before must now be pulled back on deck. Seaweed sticks to the cutting claws: a small greeting from Father Neptune. Two jammed claws constitute more of a problem. One of them is tangled up in the cable. Hastily they tug on the metal objects, pull on the steel loops, cannot disentangle them, feel insecure, throw some helpless glances toward the mining technician. He runs up to them, demonstrates the required action. "Okay, carry on! Let's go!" The capstans are turning. The shearing otters and the buoys are approaching, ready to be pulled out of the water. Schreiber has his problems trying to hoist the shearing otters. Much as he tries to get it over the stern bulge, he keeps having to let it drop back into the water. Teubener and two other students run to his aid, grab hold. Together they drag stubborn gear up on deck. "Man!" Schreiber pants, "what a drag. Nothing doing without muscle."

After a breathing spell, Rosenkranz beckons student noncom Teubener. "You are now going to be the mineman's mate. Post your people, and get the sweeping gear ready for deployment!" Werner Teubener is momentarily stunned

at the prospect of having to work as a "supervisor"; but ambition takes over. Why not, he thinks, you will have to start some time. Calmly, he gets started. His first orders are tentative and indistinct; a few times he hesitates while thinking what to do next; but shortly he becomes more secure. This is the payoff for having paid attention during the classroom work and on board ship. He is on top of things. Only toward the end he gets a bit mixed up, forgets how the men must be positioned on deck. Too much equipment, too much to do. Nevertheless, the mining technician praises him. The student noncom is pleased with himself too. He has gained a most important insight: "You must figure out beforehand exactly what you are going to say. Aimless chatter is no good."

Early next morning the three bulb flag goes up again on the "Wittstock's" signal mast. The signal for sweeping. Once again the shearing otters and the buoys go into the water. But this time the students work with a new, more complicated mine defense weapon: the electronic long-distance sweeping apparatus. It is attached to an electric power terminal. All captains on the quarterdeck are starting to hum. Tables and ropes unwind continuously from the cylinders amidships. "Slack!" "Heave!" The two words are heard continuously.

"Man, what a mess!" Schreiber is a bit confused by all this. "We must watch carefully what is shackled on, and where," Trubener counters. "What matters is how we prepare the pieces. See, then in sequence. If we do it like we did yesterday, nothing can go wrong." And there are no foulups. They glance all around them, quickly absorb what the mining technician demonstrates. They work as a team, quickly come to the aid of others who are having trouble with heavy equipment. Now they get an added bonus: the capstan engine quits! Quickly, get the long crank handles! Two student noncoms on each side. And now crank hard! During the first few minutes they still have their sense of humor; funny exclamations fly back and forth. But they quickly fall silent and start panting instead, steal glances toward the table to see whether the end is in sight. Sides are changed. Another 10 - 3 - 1 meters. Made it! Creeping they drop onto the packing crates.

The final day brings a very special happening. A strong north wind starts blowing, whipping the sea into high waves. The weather report promises no relief. The flatfish commander decides to cancel the end of the training exercise. "Return to harbor!" The four ships get into line-ahead formation. On the "Wittstock's" quarterdeck, chief petty officer Rosenkranz assembles the student noncoms behind the superstructure. This gives them some protection from the wind. But they cannot get away from the water. They raise the hoods of their combat suits, close all the buttons, spread their legs, get a good handhold. One wave after the other breaks against ship's side, disintegrates into a million drops before the wind and sweeps across the deck. The ships struggle through the wave troughs and crests.

Now and then Schreiber and Teubener shake the water from their headgear, lick saltwater from their lips. They are somewhat amused by the spectacle. You have to go through this, they think. A real test. No matter if you start shivering, if your stomach growls. The two student noncoms are proud to be able to take it and to put up with nature's forces. They are no less satisfied at having learned a lot during their first cruise. "It was a step in the right direction. Now we know what it is all about." Close familiarization with the ship's principal weapon systems, with mining and sweeping procedures have reinforced their realization of the functions and responsibilities they will assume in the future. They are engaged in fighting against invisible enemy weapons. "We are pioneers of a sort. We clear the way for others. Without us, no one can go anywhere." And they are pleased with the mining technician too. "Upstanding, critical, ready to help." Some day they, too, want to become that kind of a "chief" in the mine combat service, a master of his craft...

9273

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HUMAN RIGHTS GUARANTEES IN POLISH CONSTITUTION ANALYZED

Paris ESPRIT in French Mar 80 pp 22-37

[Article by Krzysztof Pomian: "Whose Property Is the Law?--The Law and Discretionary Powers As Exemplified in the Polish Model"; passages printed in italics or where another device is used to add emphasis are enclosed in slantlines herein; those printed in italics or where another device is used to identify them as quotations from other sources are enclosed in quotation marks herein]

[Text] Some Fine Points of Wording

Let us consider Article 81 of the Constitution of the Polish People's Republic [PPR]:

1. "The citizens of the PPR have equal rights in all domains of public, political, economic, social and cultural life, regardless of nationality, race or religion. Any violation of this principle through the establishment of any privileged treatment whatever or through any restriction of rights incur a punitive sanction.
2. "Prohibited are the dissemination of hatred or of disparaging remarks, the sowing of discord, or the humiliation of any individual by reason of differences of nationality, race or religion."<sup>1</sup>

On the face of it, this is clear: The 1952 Constitution established in Poland a system of equal rights. Several articles go into further detail in this regard, stipulating specifically the equality of rights as between men and women, as between children born in wedlock and those born out of wedlock, etc.

A slightly more careful reading of Article 81 suffices, however, to germinate a doubt in one's mind. For one then perceives that the criteria that cannot under any circumstances justify either the establishment of any privileged treatment whatever or any restriction of rights do not include political, philosophical, artistic or other such views. Nor does

Article 81 expressly prohibit the dissemination of hatred or disparaging remarks, the sowing of discord or the humiliation of an individual by reason of his or her political or other views. To argue that these prohibitions are no self-evident as to not merit being expressly stated is to take an untenable position. In written law, the written word is of absolute importance, since it is what reveals the intentions of the legislator. And in interpreting a juridical document whose every word--having been turned over again and again before being set down in writing--is supposed to have been chosen because it said exactly what it was intended to say, it must be presumed that nothing in it was left to chance and that the gaps, if they exist, were intentional.

Now then, in the case we are discussing, we have much more than presumptions on which to go. The same omission is found, in fact, in the Penal Code, enacted in 1969, which provides a penal sanction for anyone guilty of restricting the rights of a citizen or of humiliating an individual or group by reason of religious persuasion (Articles 192 and 193; cf. also Articles 197 and 198) and for anyone who sows national, ethnic or racial discord (Articles 272 and 273) or humiliates in public an individual or group by reason of pertaining to a nationality, ethnos or race (Article 274), but breathes not a word about political views. Besides, the legislator has had ample opportunities since 1952 to rectify his oversight if indeed it was one. There have been such opportunities even since 1969. Specifically, there was nothing to prevent its being done in 1976 when several articles of the Constitution were revised and when the following wording was added to original Article 57:

"All citizens of the PRP have the same rights, regardless of sex, birth, education, occupation, nationality, race, religion, as well as social origin and status" (Article 67, paragraph 2).

The non-stipulation of political views in this article is highly significant. For the legislator, like everyone else, has had repeated opportunities to see for himself that the absence of this stipulation in the juridical provision set up to guarantee equal rights to all Polish citizens creates a gap in it so enormous as to reduce it to a mere stylistic clause. Nothing could be easier, in fact, than to persecute or humiliate someone precisely because of that person's nationality, race or religion. Such action need only be justified without invoking one of these three criteria and may moreover include allusions, even clearly transparent ones, to one or more of these criteria, provided no manifest contradiction to the letter of the law is involved.

Thus, even during the period of Stalinism, Catholics were never openly attacked on the basis of their religious beliefs; they were attacked only to the extent, allegedly, that they held "reactionary" political views,

which, however, were so defined that whoever remained faithful to the teachings of the [Catholic] Church was automatically a patent bearer of "reactionary" political views. The end result was therefore the same as if the Catholics had been openly singled out for attack, except that appearances were thus saved. Likewise, during the 1967-1968 white pogrom, official language never used the word "Jew"; action was taken only against "Zionists."

In short, if the legislator did not fill the void in Articles 67 and 81 of the Constitution and the similar one in the Penal Code, it is because he wanted to have elbow room in which to deprive of all effectiveness the juridical provision he appeared to be establishing. Why then did he introduce all those articles instead of passing over in silence the even-tuality of persecution on grounds of nationality, race or religion as well? Let us put that question aside for a moment and let us ask first of all whether or not the rights of a Polish citizen are dependent upon his or her views, especially political ones. In other words, the question is whether or not the present system in Poland is truly, as it claims to be, a system of equal rights.

That this question does not stem from a reading of the Polish Constitution with exceptionally malicious intent is confirmed by the very official manual "The Fundamental Rights and Duties of Citizens of the PPR," written by a team of lawyers led by Mr Adam Lopatka, member of the PZPR [Polish United Workers' Party] Central Committee, deputy to the Sejm [Parliament], director of the PAN [Polish Academy of Sciences]:

"The question arises: Can the political views of citizens serve as criteria for differentiating their juridical status?

"This problem must be addressed from two standpoints: 1) Does party membership affect the range of rights and duties available to a citizen or the use he or she can make of the rights already acquired? 2) Does any limitation of rights whatever exist because of political views?"<sup>2</sup>

Confronted by these dangerous questions, the reader of the Manual is not left in anguish for long. Two lines below, he is assured that "the Constitution does not differentiate citizens on the basis of their party membership or political views." Juridical answers to the problem having thus been proclaimed "univocal," there remains but to examine it from the standpoint of "social and political practice." Could this mean that such "practice" might be contrary to the letter of the law? One hardly dares imagine that it might be. But our authors boldly point out that it is.

They recall first that "like other socialist countries, Poland /rejects the principle of the so-called free play of political forces/ in the struggle for power within the state. In our country, on the other hand,

/the principle of the Marxist-Leninist party's guiding role/ with respect to the state is obligatory (...)."³ Then they ask whether this role involves an inequality of political rights and, hence, an inequality of participation by the citizens in the political life of the state. And they answer this question with a categorical statement: As Comrade Gierek has said (a long citation follows), party membership does not confer on anyone any additional privilege or right; it only adds to the weight of one's duties and responsibilities.<sup>4</sup>

The response to the first question is therefore clearly negative. Let us look at the second: "Do mechanisms exist that prevent active participation in political life by citizens desiring to represent the antisocialist political forces?" The question is no longer: "Does any limitation whatever exist because of political views?" The authors are only interested in those citizens "desiring to represent the antisocialist political forces," which presupposes that a plurality of opinions on the subject of socialism is impossible. And their response restricts participation in political life to being a candidate in the elections, thus eliminating all problems of freedom of speech, of association, of demonstration, etc. Here then is their response:

"In the PPR, the right to elect and be elected belongs to all the citizens, without regard for such criteria as nationality, sex, religious beliefs, occupation, social origin, etc. However, a person representing forces hostile to the socialist system cannot become a representative of citizens of the PPR. This means that from the /subjective/ viewpoint there is /no limitation whatever/ on enjoyment of the electoral right, and it is from this viewpoint that we speak of the equality of PPR citizens. At the same time, however, there exists a /limitation/ that may be called /objective/ and that is inherent in the inadmissibility of representation of certain specified political tendencies. Such a solution is implicit in the rejection of the principle of free play of forces within the power struggle."<sup>5</sup>

#### The 'Guiding Role'

Let us take note of that avowal so clumsily camouflaged by the distinction between subjective and objective viewpoints and go back a few years. According to the Polish Constitution promulgated in 1952, in the midst of the Stalin era, in "the alliance of the working class and the laboring peasantry that is the basis of the current people's government in Poland (...), the guiding role belongs to the working class, as society's vanguard class (...)."⁶ Astonishing as it may seem, however, the 1952 Constitution says nothing concerning the PZPR, which, since 1944, has exercised the power of government in Poland. It simply ignores the institution of political parties.

It was the desire to rectify this oversight, manifested by the party leadership in September 1975, that brought about public discussion of the issue of equal rights. We will not go into details here on the protest movement aroused specifically by the PZPR's decision.<sup>7</sup> We will recall only that a major sector of public opinion saw in this measure a flagrant violation of the principle of equal rights; many were those who, despite the risk of reprisals, did not hesitate to take a position on this issue in letters addressed to the Sejm.<sup>8</sup> But the latter voted docilely as it was ordered to vote and the Polish Constitution was enriched by a new Article 3, paragraph 1 of which states: "The political force that guides society in the building of socialism is the PZPR."

We could comment at length on this brief sentence, the authors of which wanted, it seems, to make it even shorter, in that the term "political" and the phrase "in the building of socialism," which limit its scope, were only inserted under pressure by the Episcopate.<sup>9</sup> We merely point out, however, that either it means nothing or it grants by stipulation to the members and in reality to the apparatus of the PZPR<sup>10</sup> a collective privilege: that of guiding society. True, it concerns only the "building of socialism," but who is authorized to say that such and such another domain is not related thereto and therefore remains outside the province assigned to the party? Who but the party leaders themselves? The Manual illustrates this in its own manner: According to its authors, the opinion of Mr Gierek, first secretary of the PZPR Central Committee, is the final word when the question is whether or not membership in that party carries with it additional rights. If you contest that opinion and, worse yet, maintain that it has no validity, in that a person cannot be the judge in a suit to which he is a party, you implicitly call into question the leadership role of the PZPR; the party spokesmen then need only brand you an "antisocialist" and, as the case may be, bring charges against you, invoking a few articles of the Penal Code.

Since Article 67, paragraph 2, and Article 81 of the Constitution do not grant equal rights to Polish citizens independently of their political views, they are not formally contradicted by Article 3, paragraph 1. On the other hand, to the extent that the latter endows a particular group with the prior right to the "leadership role", it strips the elections of all significance, since they can only perpetuate those who are already in power and who legally cannot lose that power unless they abdicate it. It voids the Parliament of all substance, converting it into a rubber-stamping office for decisions taken by the supreme authorities of the party, and reduces the government to a mere arm of the latter.

This interpretation evidently accords to Article 3, paragraph 1 a sort of preeminence over the others, making of it the keystone of the Polish political system. This is in fact the official interpretation. It is

found in the chapter of the Manual that has just been summarized above and that does not even mention the article in question--which, be it said in passing, demonstrates the bad faith of the Manual's authors--whereas it does give expression to "the principle of the Marxist-Leninist party's guiding role" as if such a "principle" had a standing in constitutional law as an axiom that was self-evident to all reasonable human beings. And it is upon this "principle" that "the inadmissibility of representation of specified political tendencies"--read: specified by the party apparatus--is founded.

One could, of course, propose a totally different interpretation of the Polish Constitution, an interpretation, for example, that would recognize: that being a "guiding political force of society in the building of socialism" and "exercising the power of government" are completely different things; that nowhere is it written that the PZPR, the United Farmers' Party and the Democratic Party are the only possible political organizations of the "working people of the cities and rural areas" to whom the government belongs; that the principle of equal rights for all citizens takes precedence over all others, because it is inherent to the essence itself of socialism and because Poland is a socialist country; that therefore, as regards adults, sound in mind, etc., a restriction of rights is always unconstitutional; that in guaranteeing "freedom of thought and of religion," the Constitution differentiates between the two, permitting the first of them to be classed with freedom to profess one's philosophical, artistic and political views, contrary though they may be to those of the PZPR, without incurring because of it any penalty whatever. We could continue along this line. These few examples will suffice, however, to show that the 1952 Polish Constitution, revised and corrected in 1976, can be read in several widely different ways. And that the official interpretation, without being totally unjustified, is to a large extent discretionary.

#### A Mixture of Legality and Discretion

The technique of juridical writing we have just seen at work--consisting of letting something remain vague at some point, omitting a word or so at another, introducing an ambiguous term at still another, and so on--is used in many other legislative acts--and not only Polish ones, at that--of much more direct interest to the man in the street than the Constitution. Let us take, for example, Article 52, paragraph 1 of the Labor Code, passed, after a long juridical battle, in June 1974:

"An enterprise may terminate a work contract without notice and for cause owing to the culpability of the worker in case of:

- 1) A serious infraction committed by the worker against the fundamental principles of workers' responsibilities and, in particular, a disturbance of the peace and order of the workplace, unjustified absences from work (...)."

What interests us only is the part of the sentence dealing with "unjustified absences." Is this translation correct? The Polish text makes use of an iterative expression that appears to be equivalent to a plural. But that can be contested. Now then, this is in no way a mere question of grammar. Depending on whether one adopts its plural or its singular sense, the consequences for many individuals can be vastly different. For, if one opts for the plural, a strike of short duration (1 day or less) cannot be cause for dismissal without notice, since the misdemeanor has been committed only once. This is why the official memorandum of 1 March 1977--which thus takes into account the dismissals after the strike of 25 June 1976 and the attacks by the Committee for the Defense of the Workers on the use of the cited article to justify those dismissals--after discussing the various possible interpretations of the text, arrives at the following conclusion:

"Since the General Instruction calls for particularizing the specific behavior of each worker, it may be assumed that evaluation of the degree of 'seriousness' of infractions committed by workers must take into account, among other things, the characteristics and kind of work and its related functions. It follows from this that the same infractions--in this case, absence from work--can be evaluated differently. Specifically, justification could be found for the use of Article 108, paragraph 2 (which stipulates a fine for absence from work, the word "absence" being in the singular and in a noniterative form--R. P. Author) in one case and for immediate dismissal because of culpability of the worker in another. The Supreme Court must, however, make known its interpretation of this point."<sup>11</sup>

We could dwell at some length on this explanation by five eminent specialists, the text of which was reviewed by a sixth. But let us go on.

In Poland, as in some other countries, there is an entire hierarchy of juridical enactments. At the summit is the constitution. Then come the civil, penal, criminal proceedings, family, labor and other codes. One step lower come the laws and the decrees having the force of law, promulgated respectively by Parliament and, when the latter is not in session, by the Council of State. It is on these enactments that the courts base their verdicts. And it is these enactments that are presumed to be giving rise to the innumerable decisions that emanate from the various echelons of the bureaucratic machine. These decisions are estimated to number in the tens of thousands and their rate of growth is understandably disquieting to the authorities. Many of them are inaccessible to those whom they affect, never having been published, or having been printed in such small quantities that even the government officials directly concerned do not always manage to obtain copies. Many are worded in such a way that others are required to explain them; it is officially estimated that fully 33 percent of the ministerial edicts are devoted to interpretations of

Others previously issued. And then there are those that are ..., contradiction with the general norms of law. All of these edicts have an effect, sometimes a vital one, on the daily lives of the people--those, for example, that affect the housing shortage or the building trade; in other words, domains that are hotbeds of unrest because of the penury that reigns over them.<sup>12</sup>

From the summit to the base, from the Constitution down to the lowliest edicts of the local councils, the written law and discretionary interpretation form a mixture whose components are impossible to dissociate. It is to be noted, however, that discretionary interpretations differ according to case or rather according to the type of relationship in which a particular law intervenes. To simplify, three types of situation can be cited:

- a) In relationships between individuals, concerning assets and people, the discretionary ingredient seems to be the least operative. Though it is still more operative than in countries where a plurality of political parties, free elections and a free press exist, this is not because of characteristics of the law itself but rather of the absence of a free and independent public life and opinion. As soon as the latter manages to find expression, matters that would otherwise have been hushed up resurface and find their way into the courts.
- b) We will not go into detail on the vast domain of relationships among state bodies since that would divert us from our subject. Suffice it to state that discretionary interpretation in this domain is very extensive. And many, at times highly descriptive, things could indeed be said about the interventions by the political authorities in the management of the economy, or the manipulation of rules and regulations engaged in by leaders of enterprises, taking advantage of the regulatory gaps and contradictions, to obtain benefits for their personnel and for themselves.
- c) The most important relationships, from our viewpoint, are those between individuals and the state. They become closely entwined, first and foremost, in the economic sphere. The so-called socialized sector employs 72 percent of the active population, and that sector is in fact the state, the distinction between state-owned enterprises and cooperatives being in most cases purely theoretical, which is another glaring example of discretionary power. In actual practice, the state is the sole employer. Practically speaking, when it comes to employment, the dependence of the citizens on the government is virtually total, particularly in the small towns and villages, which are hard if not impossible to leave because of the extreme housing shortage, and where all the notables know and help each other. This opens the way for abuses, which the press unveils from time to time. But even if there were no such abuses, the fact remains nevertheless that the part played by discretion in the domain of employment

is enormous. Thus, certain positions are in fact reserved for members of the party, although according to Mr Gierek and our Manual the latter are not supposed to enjoy any special privilege. Thus also, cases are known of dismissals for political reasons and of interventions by the secret police to prevent the employment of such and such another person. Interventions of this type are also practiced by organizations within the party. In short, there are probably secret instructions that bear on personnel policy and that are not in agreement with the general norms of law. All of this is of course illegal, but it nevertheless forms a part of daily life.

The employer is the state because the state is also the proprietor: It owns the principal means of production and the consumer goods produced by the enterprises. The importance of this aspect of the state is reflected by the statistics: Every year, good or bad, some three workers per thousand in the "socialized" sector are convicted of crimes against "socialist property." During the past decade, the percentage of such convictions has grown steadily: it went from 20 percent in 1970 to 29 percent in 1977 [as published].<sup>13</sup> From what is actually known, although it is very difficult to prove without a detailed study of cases, this is a domain in which discretionary power plays a very large part, in that the same act can incur disciplinary sanctions or criminal proceedings ending in various possible sentences, depending on relations between the convicted person and the local authorities, above all, the police.

Let us go now to the political domain properly speaking, which we can only touch upon briefly. We note, to begin with, that over the past few years Poland is among those countries in which the number of political prisoners is not very large. That having been said, we must immediately add that statistical data on this subject are not available, that Polish law does not recognize political prisoners, and that, frequently, persons on whom the authorities seek to work revenge because of their political attitudes, and unless they are intellectuals of renown, will find themselves with criminal charges on their hands.<sup>14</sup>

When repression starts, legality is forgotten. Thus, following the 25 June 1976 strike, the police arrested 861 persons in Radom, Ursus and Plock, 703 of whom were sentenced to penalties ranging from a heavy fine, to suspended prison sentences of several months, to several years of prison with no possibility of remission. These figures, never published by the Polish press, are taken from a brochure prepared for internal use by the party,<sup>15</sup> which, be it said in passing, indicates still another privilege accorded to its members: access to less deceitful information, and yet another aspect of discretionary power: the existence of censorship; I shall not discuss this here.<sup>16</sup> The brochure, of course, presents all of the convicted persons as hooligans, drunks, idlers and ex-convicts; arguments of this type were used by the courts to justify their verdicts. To all appearances, therefore, they were all common law criminals; in reality, they were all political prisoners, which the authorities were eventually compelled to acknowledge tacitly under the pressure of Polish and international opinion.

Still a further comment: In no case was the word "strike" used, for in Poland, striking is not a crime; it is simply unknown by the law, and this is why Article 52, paragraph 1 of the Labor Code was used to dismiss the strikers without notice.

In Poland the manifestations of discretionary power are very numerous and varied; we will not present here an exhaustive inventory of them. But at the root of them all is the independence of action of those in power--who are none other than the members of the apparat and of its combined military and police, its administrative, and its propagandistic extensions into the realm of public opinion--and their consequent dominance over Polish society. It is this dominance that they are defending when they introduce any article into the Constitution; when they hand down a compulsory interpretation of this article that they assume will guarantee them the right to decide in the name of all; when they draw up the wordings of laws in such a manner as to ensure that those laws will serve them and permit them to act as they please; when they utilize to these ends the police and the judges. And it is this dominance that is defended by every apparatchik, who of course, no matter how far down the hierarchic line he may be, identifies his personnel interest with that of the hierarchy taken as a whole. When this defense is involved, no law is a deterrent unless respect for it is imposed by force or by a credible threat to resort to it.

#### The Need for Legitimacy

Despite the fact that its own behavior attests the extent of its inability to govern while respecting the law, even when the law is made to order to suit its needs, the apparatus makes no effort to rid itself of it once and for all, to abrogate or annul it, to declare that henceforth there will be no more of it. Everything proceeds as if it were so devoted to the law as to be unable to do without it. Why? Here, we find in a more general form the issue that arose in regard to Articles 67 and 81 of the Polish Constitution and the related articles of the Penal Code, having to with the need for a law.

In Poland, as in other Eastern European countries, the government that was restored under Soviet protection after World War II claimed in the beginning to be the only legitimate heir to the government that had existed before the war. We will not question here to what extent this claim was justified. We are interested here only in its particularly numerous consequences in the domain of law. Proclaiming itself the continuator of the state that had existed before the war meant, in effect, recognizing the prior state's debts and the international treaties and agreements it had signed and ratified, and taking its place in the various international organizations. It also meant that all laws promulgated before the war remained in effect, and that if such and such a law was to be abrogated it must be done in lawful form or at least with a semblance of respect for it.

In 1945, therefore, legislative elections were organized, the last ones to have kept up an appearance of freedom. The Sejm that ensued ratified the abrogation of the 1935 Constitution and immediately enacted a new one to avoid a juridical vacuum. But a complete body of legislation inherited from the past remained in effect; even at the end of 1978 there were still around 130 laws and statutes dating back to the 1920's and 1930's.<sup>17</sup>

\* This proclaimed continuity furnished a facade behind which things took place that had nothing whatever in common with legality: deportations to the USSR, summary executions, torturings, trumped-up trials.<sup>18</sup> But it was more than a mere facade. The retention of the old laws, the old names of certain institutions, the national anthem, the flag and the national emblem (modified, of course, by depriving the white eagle of its crown), etc., all connoted a continuity that, though greatly reduced, was nonetheless real. Though aware that the new state was not an extension of the old one--the Soviet presence was sufficient to dispel any illusions in this regard--the Poles nevertheless did not find themselves in another country that they had ceased to perceive as their own because of the disappearance of all the traditional signs of recognition. For many, moreover, continuity had fully tangible significance: for example, retirement pay and pensions under the old state continued to be paid and the years in its service were counted.

However, much as it needed legitimacy founded on tradition, the new regime was unable to satisfy this need. Besides, it had from the beginning taken a number of steps towards a complete break with the past: agrarian reform, nationalization of industry, a "treaty of friendship" with the USSR, displacement of its eastern borders to Poland's detriment, and of its western borders to its advantage. All of these steps, needless to say, were taken by way of laws passed and ratified in accordance with the rules. The same is true of two other enactments, the first of which enabled charges to be brought against virtually the entire body of prewar political personnel, including the opposition of that era, pretending nonetheless to maintain the continuity of the state itself, and the second of which provided a juridical basis for the repressions of enemies, real or imagined, of the regime; that is, it provided unlimited freedom of action to the security services. These were, respectively--the titles are eloquent!--the Decree of 22 January 1946 on Responsibility for the Defeat of September (1939) and the Fascistization of the State, and the Decree of 13 June 1946 on Dangerous Crimes Particularly During the State Reconstruction Period, known also under the name "Little Penal Code" and haloed in a particularly ominous glory. Both remained in effect until 1969, but their grand era had ended in 1955.

It became clear that references to the past, which in any case were fading during the years 1946-1955 and becoming more and more polemics, could neither assure the new regime of an enthusiastic backing by the population nor invest it with the legitimacy it so crucially needed, violence being

an inadequate instrument for the day-to-day governance of a society. The government therefore turned to prospects for the future to justify the miseries of the present and to mobilize the masses, and, above all, the youth. Hence the 6-year plan passed with great official hoopla by the Sejm in 1949. And hence the Constitution, a faithful copy of the Stalinist model, promulgated in 1952, at the postwar's highest peak of police terrorism. Hailed by the communist faithful as a giant step toward socialism and deprecated by their victims as a shameless piece of propaganda, it was a translation of Marxist-Leninist ideology into juridical terms. Written in the present, it addressed the future. The legitimacy it pretended to offer was of course that "of the Polish nation's noblest progressive traditions," but mostly that of a program it claimed would ensure in the near future the nation's economic development, its well-being, and social justice. And also a "people's democracy"; that is, one of infinitely higher level than is acceptable to "the capitalists." This is why the Constitution is couched in terms of "classes," of "masses," and of "the working people." In its intent to convince the latter that it is they who exercise the power of government, it passes in silence over the party whose apparatus actually holds this power and makes no mention of political bodies except in the article on freedom of association. It describes a purely fictitious Poland. There remained but to make the people believe that this fiction was truer than the realities they were living day in and day out.

#### The Need for Law

This historical sketch, although very summary, enables us to respond to the question of why a political apparatus whose power does not derive from universal suffrage and which has eliminated in advance all possibility of being divested of that power other than by force should have a need for law: A paradoxical question, in that such an apparatus should, logically speaking, never have felt the need to bind itself to any law, and yet, has not been able to avoid it. It has been unable to avoid it first of all because in our European societies, in which all history since the Middle Ages has contributed to the formation of an enlightened juridical consciousness that is deeply ingrained in the population, the law appears to every government as one of the privileged instruments for ensuring its legitimacy, for establishing a link with the invisible, the source of consciousness: the beyond of transcendent beings and other-worldly norms, the past or the future as the case may be. This role, it is true, devolves upon religion or on ideology, but neither the first nor the second of these is capable of assuming it until it is been translated into juridical language. For it is not until then that the desires of the authority begin to be conjugated in the imperative, that words start to take on the meaning of things, even in the absence of gendarmes, and that the model of an ideal society--for the wielders of authority--begins to function as a model of behaviors and the source of norms.

Contrary to what the theoreticians say who conceive of the law as a super-structure, indeed, of the law as a mirror-image, legislation always describes society not as it is but as it should have been from the viewpoint of the legislators, who count on narrowing the gap between the two through the use of violence. The law thus refers to something whose presence is never or has not yet been felt, whereas the authority that administers violence receives a mission, an objective, an orientation. In this regard, the 1951 Polish Constitution was no exception to the rule. Its specificity was addressed only to the enormity of the gap it established between what was and what should have been, and to the degree of violence to which the apparatus had decided to subject society to approach the attainment of its ideal.

Thus, also, the apparatus could not do without law because it is a necessary--though not sufficient unto itself--condition for the recognition of its authority as legitimate both domestically and abroad; and moreover because the law makes it possible to economize on violence, replacing the latter to a certain extent by way of threat, the use of which can be highly effective as well as less costly and less risky; the role of the courts consists, among others, of rendering this threat credible. The two decrees referred to above are good examples of threat-laws, promulgated to terrorize all potential opposition. The judicial system itself thus operates to reduce the gap between the empirical reality and the model, acting on individuals and groups, who are supposed to know the law and hence the penalties they risk incurring if they fail to conform to it.

Lastly, there is a third reason why the apparatus cannot do without the law: It is indispensable for organizing the national economy in such a way as to make of it one of the seats of power. This means, in the first place, ensuring that the means of production are owned by the apparatus; hence the laws on nationalization to begin with, then those on the farming and production cooperatives--that is, on the collectivization of farmland--expropriating the farmers for the benefit of the apparatus. This also means, where the intent is not to pay the workers decent wages, compelling them to work without equitable remuneration; this was the role of the infamous law on "the socialist work discipline," which instituted in the factories a reign of terror. The law on the economic plan, for its part, set up the authorized ratio between consumption and capital accumulation; in other words, the level of withholding from the present in the name of the future. In short, and this enumeration is not exhaustive, laws were needed to put in order the relations between the different echelons of government, the enterprises, and the territorial administrative units; to establish the rules of management and administration; etc. Regarding all of this, too little has been said in this article; only a few examples of laws governing the economy have been mentioned, although this is the domain that is addressed by the vast majority, without question, of the decrees, instructions and edicts produced by innumerable dicasteries.

As long as Polish society remained inert, traumatized by the German occupation, the failure of the Warsaw Uprising and the repression deployed by the new régime and its Soviet protectors, the law played in public life, only the three roles that have just been characterized. It was an instrument of legitimization of those in power, a threat addressed to the population, a regulator of the economy, in short, an emanation of the apparatus. And we could only address it from the viewpoint of the latter. But beginning in 1954, things started to change. The contradiction between the professed legality and its discretionary interpretations in practice came under the glare of publicity, and events followed precipitately. Under pressure from the workers, the law on "the socialist work discipline" had to be abrogated. The farmers reduced to total impotence the efforts of the apparatus to collectivize the farms. Public opinion compelled the apparatus to rehabilitate the victims of the 1944-1954 discretionary police action, to restore a certain role to the Sejm, to normalize relations, on which a great deal has yet to be said, between the State and the Church. Some torturers and their chiefs were prosecuted.

Needless to say, the legality so solemnly promised by the apparatus to the nation during the honeymoon of 1956 has now become a mere rhetorical figure of official speech. But there has not been a return to the prior era. The apparatus has certainly not lost its power to make and break laws; had it done so, this would mean it had lost all its power. However, it can no longer act as it pleases. This was clearly demonstrated by the example of the law on "social parasitism," which it tried to have passed by the Sejm after March 1968; that is, after the "Zionist" pogrom that was accompanied by the general pacification of the intellectual and student milieus. Blocked by the legal advisers and law experts, who found that the proposed law specifically contradicted international agreements Poland had ratified, this bill, corrected, was finally returned, after a long debate, to the file drawer from which it should never have been removed. It was returned there because the pressure of opinion proved strong enough to compel those who sought a large-scale repression to pull back. Similar comments could be made regarding the law on psychiatry. And on the article of the Constitution on the guiding role of the party, the final wording of which was considerably watered down as compared with the initial version.

#### A Stakes

The 1976 revision of the Constitution also deserves mentioning again, as a good example of the changes that have taken place since 1952. Up to that time, the apparatus could take the realization of its desires for granted and have a Constitution drawn up based on the ideological madness that had by then taken on the form and force of law. Not only was this no longer conceivable, but the old Constitution had become an embarrassment to its authors themselves. Not because of what it said; the problem, on the contrary, was what it did not say. For, it was the gaps in the 1952

"onstitution, and above all the fact that it said nothing concerning the guiding role of the party, that enabled the dissidents to use it to unmask the discretionary actions of an authority that was incapable of respecting its own basic law. In other words, the presence of the social forces opposed to the authority of the apparatus, weak though they were, had compelled the latter to take reality into account far more than it had ever done before. This presence had compelled the apparatus to reduce the discrepancy between its ideal as recorded in the laws and society as it is, not only by desisting from further violence to the latter but also by scaling down the former to reasonable dimensions. In this sense, and paradoxical though it may seem, the 1976 constitutional revision, politically very costly for the apparatus, showed that the latter has begun to serve its apprenticeship in law, to understand, with slow steps, delays and relapses, that it is sometimes better to divert the law to its own advantage, thanks to the power it wields, than to leave to the opposition the privilege of exposing the presence of discretionary conduct at the very heart of the institutional, political and juridical system.

True, the opposition need have no worries that it will soon find itself with nothing to do. And it can always fall back on the Constitution, which, although revised, still leaves room for different, if not contradictory, interpretations. Even the eminent authors of our Manual are unable to establish a logical link between the party's guiding role, now legitimized, and the existence of censorship, for example, without addressing problems posed by Article 83 of the Constitution, which guarantees freedom of speech, of the press, etc. "to all citizens." Personally, I would have advised the PZPR Political Bureau to have the word "citizens" in this article replaced by "parties." Except that by legalizing such institutions as censorship, the apparatus risks stripping itself of all legitimacy. In other words, if the Polish Constitution were to describe faithfully the exercise of power, it would be a denunciatory document, an accusatory act. But by describing an idealistic image of society, presented as a model to which society must conform, the Constitution enables the opposition to exploit the discrepancy between the two.

The outlook is therefore one of many juridical and political battles to come. The stakes are, among others, proprietorship of the law. In the course of the battles waged against the omnipotence of the apparatus, which is sometimes victorious, the law gradually ceases to be a mere emanation of the latter. Step by step, with some delays, some gaps, and some relapses, it is being reappropriated by the independent social movements that are simply taking in hand the freedom of speech and of publication and even that of demonstration, and confronting the authorities with accomplished facts. Without losing its roles as characterized above, the law is also acquiring that of the mediator of public conflicts and hence that of an instrument the citizens can use to protect themselves

against the discretionary exercise of governing power. This role, however --which should always and everywhere have been that of the law--the law cannot fulfill unless the social forces are there that can ensure respect for the law.

The mechanism that generates the contradiction between legality and discretionary authority in a country like Poland stems from the very nature of the relationship between its society and its governing authority. This contradiction is in effect none other than that which sets a government monopolized by the apparatus over against all those who, since the government does not belong to them, are denied dignity as citizens and reduced to the level of subjects. The law begins to fulfill its role as mediator in this conflict when and to the extent that the significance given to it results not only from the will of the apparatus but also from the pressures of public opinion: This process is only now just beginning, but its effects are already being felt. The law moreover fulfills the role of an opposition platform--an opposition platform written by the governing authority itself. For, the aims of the opposition can be summarized in one sentence: Respect the laws! Of course, this is a platform that cannot be adhered to to the letter, the laws themselves being, as they are, contradictory, vague, full of holes and ambiguities. However, it is only by struggling to impose an interpretation that is consistent and in the interest of the citizens that we can expect to change mentalities and institutions. In a dead society, the law is a dead concept. But in a living society engaged in a struggle against those who oppress it, the law is our first weapon.

#### FOOTNOTES

1. I cite the official French translation of the Polish Constitution published in DROIT POLONAIS CONTEMPORAIN, 3/4 (31/32), 1976.
2. Adam Lopatka, ed., "Fundamental Rights and Obligations of Citizens of the Polish People's Republic," PWN, Warsaw, 1978, p 37.
3. Ibid., p 37-38.
4. Ibid., p 38.
5. Ibid., p 39.
6. Here also, I cite the official translation: "The Constitution. By-Laws of the Sejm. Law on People's Councils," Legal Publications, Warsaw, s.d., p 5. The citation is taken from the preamble of the Constitution.

7. Cf. my preface to "Documents of the Committee for the Defense of the Workers," International Committee Against Repression, Paris, 1977.
8. Their texts can be found in KULTURA 3 (342), 1976, p 28 and those that follow; 4(343), 1976, p 107 and those that follow; 9(348), 1976 p 65 and those that follow.
9. Cf. the documents published in KULTURA 5(344), 1976, p 69 and those that follow.
10. I discuss the operation of the PZPR in "The Party: Truths and Falsehoods," The Manifesto, "Governing Power and Opposition in Post-Revolutionary Societies," Seuil, Paris, 1978, pp 282-297.
11. Gerard Bieniek and others, "Labor Code. Commentary," Legal Publications, Warsaw, 1977, p 192.
12. Cf. Stanislaw Podemski, "Foundation on Good Laws," POLITYKA, 27 January 1979; same author, "Montesquieu in the Gmina [Rural Parish]," POLITYKA, 28 July 1979.
13. Cf. "Statistical Yearbook 1975," Figure 16 (852), p 534, and "Statistical Yearbook 1978," Figure 11 (722), p 440.
14. Cf. the examples in "The Revival of the Workers' Movement in Poland," International Committee Against Repression, Paris, 1979.
15. Cf. "Current Problems of Class Struggle," PZPR Central Committee Ideo-Educational Work Department, Warsaw, 1977, pp 19-20
16. I discuss this in "Censorship Unmasked," LIBRE, 6, 1979, pp 3-33.
17. Cf. S. Podemski, "Foundation on Good Laws" cited above.
18. Cf. the Preface by Andrzej Szczypiorski to Kazimierz Moczarski's "Meetings with the Executioner," Gallimard, Paris, 1979.

9399  
CSO: 3100

POLAND

KSS-KOR LETTER ON MAREK KOZLOWSKI TO SEJM COMMISSION PUBLISHED

London DZIENNIK POLSKI in Polish 5 Jul 80 p 8

[Text] On 26 June 1980 the trial of Marek Kozlowski, a collaborator of the KSS-KOR, got under way in Slupsk. The trial proceedings were witnessed by several persons representing dissident circles. Before the court went into session the police arrested Tadeusz Kocielowicz, representing the Founding Committee of the Free Trade Unions in Szczecin, in the courthouse building, and Miroslaw Chojecki, the director of the Independent Publishers Printshop, was ejected from the courtroom for taking notes.

The first day of the trial was devoted to an examination of the evidence related to the utterance of a so-called criminally punishable threat. The witnesses for the prosecution were: the alleged plaintiff, Bozena Nowak, to whom Marek Kozlowski was supposed to have said that he was going to "stab her in the back," a girlfriend of hers from work, another girlfriend from work, the mother of her fiance, and other friends. None of the witnesses for the prosecution could corroborate the statement made by the defendant that they had been present when Kozlowski allegedly threatened her. Two of the witnesses confirmed that they had heard her say that Kozlowski was supposed to have threatened her, but they testified that she said at the same time that she was informed of this threat by the police. So the alleged plaintiff was the only person who offered evidence in support of the charges brought against Kozlowski.

It was in connection with this trial that the KSS-KOR sent the following letter, dated 27 June 1980, to the Sejm Committee on the Administration of Justice:

We are writing to you, honorable Sejm deputies, concerning a case which is contributing in a significant way to the alarming increase in the

crime rate in our country. We are referring here to the case of Marek Kozlowski of Slupak. This is to be sure an especially extreme case, but it is a manifestation of problems that are universal and commonplace.

Marek Kozlowski, born in 1952 and a metalworker by trade, stands before the court charged with having uttered a criminally punishable threat (article 166), interfering with MO [Citizen's Militia] officers in the performance of their duty (article 235), and insulting these officers (article 236), the latter charge being related to article 59 and thereby implying that Kozlowski was inspired by hooligan motives. This will be Kozlowski's fourth criminal trial. He went on trial for the first time in 1970 when as a 17-year old boy he and a group of his friends burglarized a coal storage depot. He was sentenced to one and a half years in prison and after serving half of this sentence he was released under the terms of a general amnesty.

Shortly after his release from prison he was contacted by MO sergeant Terpilowski who proposed that he should work as an undercover agent for the police. Kozlowski refused and, in spite of numerous pressures, never changed his mind. As a result, sergeant Terpilowski promised that he would "do away with" Kozlowski.

On 12 May 1971 Marek Kozlowski was charged with breaking and entering and placed under provisional arrest. He was acquitted of this charge by a court of law. He was then charged with assault and battery, which the prosecutor subsequently replaced with the charge of having uttered a criminally punishable threat. When the case came to trial it turned out that there was insufficient evidence that a crime had been committed, and it came to light that the alleged plaintiff, Henryk Skalski, is a notorious drunkard and troublemaker who had been penalized on numerous occasions for engaging in drunken brawls. Kozlowski was acquitted by the district court. The local prosecutor Krzywoszynski then appealed this verdict and acted unlawfully by having Kozlowski placed under arrest again on the same charge. The voivodship prosecutor's office later informed Kozlowski's mother that--and we quote--, "this procedural irregularity met with an appropriate official response on the part of the voivodship prosecutor's office." After the case was bounced back and forth several times from one level of jurisdiction to another, the voivodship court finally sentenced Kozlowski to 7 months in prison, and this exactly equalled the amount of time he had spent under preventive detention on various charges. Not long thereafter Marek Kozlowski was again arrested on the charge of having committed two burglaries in which he was supposed to have stolen some sweaters and razor blades. In all of these cases the investigation was conducted by prosecutor Krzywoszynski and MO sergeant Terpilowski. At the trial it turned out that the evidence of the crime had been stolen by someone entirely different and in an entirely different locality. We should note in passing that, in spite of the fact that the true circumstances surrounding this theft were brought to light at Kozlowski's trial, no procedures were initiated to clear his name. The only evidence that was brought forward in this

Kozlowski case consisted of the testimony of Bozena Nowak and her girl-friends, who stated that the accused had bragged to them about the burglaries with which he was charged. And we should also note that at the very same time Bozena Nowak was being investigated for having participated in a burglary, an investigation which was conducted by sergeant Terpilowski. She was interrogated without having been placed under preventive detention and she received a suspended sentence. On the strength of the hearsay evidence presented by the two witnesses the district court sentenced Kozlowski to 5 years in prison. He served the entire sentence.

After he was released from prison Marek Kozlowski took a job as a stretcher bearer with the Emergency Rescue Service and filed a report with the Legal Aid Office of the KSS-KOR containing evidence attesting to crimes committed by MO officers in Slupsk. It was on the basis of this evidence that we described, among other things, the severe beating received by Tadeusz Kosciewicz at the MO Municipal Headquarters in Slupsk. This case was reviewed by a court of law and, as a result, two MO officers were sent to prison. Marek Kozlowski was subsequently fired from his job in the Emergency Rescue Service.

On 13 March 1980, while being interrogated at MO headquarters, lieutenant Wisniewski and MO officer W. Drewniak told Kozlowski that he would be assaulted and beaten up by strangers. On 14 March Kozlowski was in fact beaten and robbed by strangers.

On 7 April 1980 Kozlowski was picked up by MO officers, beaten up while riding in a police car, and, 48 hours later, sent before a citizen's misdemeanors review board on the charge of having created a disturbance in the "Staromiejska" coffee shop. The police officer who made the indictment demanded that he should be sentenced to 2 months in jail. The citizen's review board settled for a fine of 21 2,000.

On 28 April 1980 Marek Kozlowski was arrested on the charges mentioned above. The plaintiff and, at the same time, the witness to the criminally punishable threat is the same person whose testimony in the previous case paved the way for the sentencing of Kozlowski to 5 years in prison. The other charges pertain to the same acts (the disturbance in the "Staromiejska" coffee shop) for which the misdemeanors review board assessed a fine against him while disregarding the evidence that would have made it necessary for him to serve a jail sentence. The facts of the case were that Kozlowski was allegedly supposed to have come to the aid of a person who was being taken away from the coffee shop by the police.

The climate in which preparations were made for the trial of Kozlowski is best described by the fact that his appointed lawyer, attorney-at-law Bozena Bogucka-Skowronska, who had defended him in all of the previous cases, resigned her powers of attorney at the last moment.

These facts call to mind a number of general conclusions, the most important of which we have listed below.

1. MO officers are in fact above the law, and a citizen has to do whatever they say regardless of whether they are right or wrong. When an 18-year old boy had the nerve to reject an MO sergeant's proposal that he should work for them as an informer, the police then mounted an all out effort to destroy this disobedient citizen. In this connection illegal methods were employed that exploited the law for purposes that were totally at odds with the spirit and letter of the law. It should be pointed out that MO sergeant Terpilowski was fired from his job on disciplinary grounds for having committed minor misdemeanors. Nevertheless, the MO continues to wreak vengeance on his behalf. When due to a lack of evidence of guilt a judge is unwilling to convict a person who makes trouble for the police, an obedient prosecutor then breaks the law and places this troublesome person under arrest. When a citizen publicizes serious crimes committed by MO officers in such a way that at least some of them have to pay a legal penalty, he is then victimized by trumped-up charges and placed under arrest. When a misdemeanors review board does not do what the MO wants and does not sentence a certain troublesome person to a jail term, the same charges are made as grounds for placing the person in question under provisional arrest and sending the case to a higher court.

2. The Citizen's Militia is in fact the servant of the public prosecutor's office. The case of the public prosecutor Boguslaw Sliwa of Kalisz clearly shows what the final outcome will be of any effort made by an honest public prosecutor to bring a policeman-homicide to justice.

In looking at the Marek Kozlowski case we are confronted with a familiar procedure used in dozens of other trial cases whereby indictments are handed down without any proof of guilt and whereby the evidence that is adduced is compromised by the abuses committed by MO officers. What is unusual about this case is the behavior of the public prosecutor Krzywoszynski who in order to get rid of a person who makes trouble for the police breaks the law by arresting a man declared to be innocent by a court of law. The voivodship prosecutor's office calls this a "procedural irregularity."

3. The practice whereby courts of law, not to mention officials serving on citizen's misdemeanor review boards, pay homage to the MO is so widespread in this country that, as in the case of Marek Kozlowski, one is amazed not so much by the fact that courts hand down verdicts without any proof of guilt, as, conversely, by the behavior of judges and misdemeanor review board officials who, in spite of the pressures to which they are subjected, refuse to hand down verdicts that violate their sense of justice.

4. Throughout the country MO organs try to talk thousands of people into working for them as undercover agents. Informers are objects of moral scorn in our society. So, one can assume that many of these people, initially at least, reject these proposals. In light of the Marek Kozlowski story we now know what can happen when such proposals are rejected. Unfortunately, though, the question as to how many young people have had

their lives ruined in this way must remain unanswered. And in light of the Marek Kozlowski story we also know that the crimes committed by certain people are not prosecuted. So, we are confronted with a situation in which that institution of the administration of justice with which almost every citizen comes into direct contact is fostering, through its behavior, widespread public contempt for the law and for the concepts of guilt and innocence. This is the most massive legal education campaign ever mounted in the PRL. The consequences of this campaign are and will continue to be increasingly disastrous.

We realize that in the wake of the whole slew of incidents that have brought discredit upon the national government this particular incident may seem to you, honorable deputies, to be of minor importance. But we would like to remind you that you bear the full weight of the responsibility for the administration of justice, and this is true regardless of the actual amount of influence each of you is able to bring to bear in dealing with matters that officially fall within your purview.

KSS-KOR [signed]

11813  
CSO: 2600

REDUCTION OF INDEPENDENCE FROM USSR ALLEGED

Paris LE MONDE in French 23 Jul 80 p 3

[Article by Bernard Guetta: "Romania's Margin of Independence From USSR Reduced"]

[Text] Three intimate meetings with President Giscard d'Estaing will mark the official visit which Mr Ceausescu, president of the Romanian Republic, will begin in Paris on Wednesday, 23 July. After an initial conference in the afternoon, Mr Giscard d'Estaing will give a gala dinner on Wednesday in honor of the Romanian president. On Thursday, Mr Ceausescu will place a wreath on the Tomb of the Unknown Soldier, he will receive personalities from the business world, he will be received at City Hall by Mr Chirac, mayor of Paris, and he will attend a luncheon given by Mr Barre prior to a second intimate meeting at Elysee [Palace]. On Friday morning he will visit industrial installations in the Paris region, especially the Marcoussis Research Center (Essonne) on new forms of energy. He will then be received at a luncheon by Mr Poher, president of the Senate; he will have a third intimate meeting with Mr Giscard d'Estaing, followed by a more general meeting and he will talk to the press before attending a small dinner party at Elysee [Palace]. He will return to Bucharest on 26 July. On the eve of his visit, our correspondent in Central Europe analyzes the situation in Romania and notes that Bucharest's margin of independence from Moscow has sunk.

Bucharest--Every day, for several weeks, the Bucharest press has been devoting its headlines to an anniversary--the anniversary of the party's Ninth Congress in the course of which Mr Ceausescu came to power 15 years ago. The event gave new range to the personality cult for the chief of state who--along with his wife now--became an object of hyperbolic

homage of which one could be jealous in North Korea. It would be superfluous to present any specific quotations but, by way of example, we might say that the YOUTH DAILY thought that, on this occasion, it had to create a new demographic concept: the "Ceausescu generation" defined as the generation of "free and dignified work, of revolutionary thinking and action."

Beyond institutional flattery, the unbridled lyricism of this commemoration expresses an entirely different reality: the need, in a difficult moment, to affirm absolute unity around the policy of national independence of which Mr. Ceausescu was the architect, although he did not invent it.

This policy was above all characterized by Romania's refusal to accept the agricultural role which the USSR had wanted to assign to it at the start of the sixties for the sake of division of labor within the bloc. Since then it kept growing successfully. Thus, Romania always refused to break relations with China which it insisted on considering a full member of the socialist community. It is the only country in the communist world to have maintained diplomatic relations with Israel and not to have denounced the Camp David accords. It deliberately chose, primarily, to appeal to the West for its technological equipment; citing respect for noninterference, it condemned the invasions of Czechoslovakia by the Warsaw Pact forces and of Cambodia by those of Vietnam; finally, it slammed the door in Moscow's face when, in November 1978, the USSR wanted to impose upon its allies an increase in their arms budget, further integration of military commands, and a new thrust--Asiatic and, hence, hostile to China--in the socialist military alliance.

This policy however is seriously threatened today. Indirectly ("everything has become more complicated everywhere") or directly ("we do what we can where we are"), Romanian officials agreed: their operating leeway with respect to Moscow has shrunk.

There are two causes for that: at home, the record industrial growth of the seventies has yielded to certain economic difficulties which make Bucharest more dependent upon its CEMA partners. Abroad, the decline of Soviet-American relations has created the need for a less provocative attitude toward Moscow.

The Kremlin's desire and means of pressure as a matter of fact have been strengthened. In this context of international tensions, the Romanian party, in any case, could not completely break away from the global interests of the communist movement. It is a strictly orthodox militant of it and the strength of the bloc is the surest guarantee for the stability of socialist power in Romania. Contrary to the Chinese party and the Yugoslav League at the time of liberation, the PCR [Romanian Communist Party] (which had no more than 500 members before the war) was never in a position to push its desire for desatellization until open rupture with Moscow.

In the Afghan affair, Romania thus was persuaded to adopt less severe positions than in the Czechoslovak and Cambodian affairs. Mr Ceausescu has clearly dissociated himself ever since the day after the day following Soviet intervention. "The policy of domination," he says, "erects new barriers on the road of detente."

This theme is then regularly picked up again on the occasion of the countless conversations which the Romanian number one leader keeps having with leaders of the West and the Third World. But the name of Afghanistan is never spoken and after sending his best wishes to Mr Karmal in April on the occasion of the national holiday, Mr Ceausescu on 15 May in Warsaw signed a pact declaration backing Moscow's positions and again bringing out the "peace plan" proposed by Kabul two days earlier.

#### Compromise on Afghanistan

Is this a major concession? "No" is the categorical reply at the ministry of foreign affairs. Here it is emphasized that detente is indivisible in the eyes of Romania; that its position around the ideas of "independence," "noninterference," and "military withdrawal" is "clear to all" and that it is expressed by the Warsaw declaration which is the result of a compromise.

Indeed, on 7 June, Mr Ceausescu--who in the meantime refused to send a delegation at the end of April to the Paris meeting of the European communist parties--came out in favor of a "political solution" to the conflict. According to him, it would "at the same time" have to lead "to the cessation of all support of antigovernment forces from the outside and the withdrawal of Soviet military units." Moscow gave priority to the first point. The difference is important but, basically, Bucharest recognized the legitimacy of the team installed in Kabul as well as the accomplished fact.

An accomplished fact which one could call a "revolution," dating it back to the power seizure by the Afghan communists in 1978. And this revolution, it is explained, is supported by Romania, just as it supports "all positive processes throughout the world."

This tacking between opposing restrictions is also found in the economy. Last year, the rise in petroleum prices resulted in a deficit in the balance of trade (which was almost even in 1977) with countries using convertible currencies, amounting to \$1.2 billion (F4.8 million [as published]). This figure is a big one for a country that already owes \$6.7 billion (F26.8 million). This is source of concern because, in spite of a national output of 12.5 million tons per year, Romania cannot think in terms of reducing its imports of crude. At great expense, as a matter of fact, it built up for itself a petrochemical industry with a capacity of 33 million tons per year which it must now keep going, on the one hand, to make the investment

profitable, and on the other hand above all because it must constitute one of the main sources of foreign exchange for Romania.

To meet this challenge (which people do not like to refer to as "an error in forecasting"), the authorities have launched a plan aimed at assuring energy autonomy by 1990. The project is strong but, even if the big delays are made up in the production of coal and petroleum, it will be difficult to carry it out by that deadline. In the meantime, a new economic management mechanism was established last January. The idea here is to persuade the enterprises no longer to calculate their results in terms of cost prices (total output) but added value (net output). In other words, the idea is to force them to save manpower and raw materials instead of wasting them consciously, which the logic of the old system would demand.

Only 5 months later, at the end of May, Mr Ceausescu, in a very violent speech, reviewed the failure of this reform which remained a dead letter because, in this regime of personal power, that is how bad inertia and fear of responsibility really are. A second reform is now being prepared for next January. Aimed at the same goals it this time however depends for its implementation on the central government; it is oriented toward a modification of the rates of exchange and progressive lineup of domestic industrial prices with those on the world market. It will be accompanied by a reduction in investments and imports as well as a slowdown in the growth rate which will be reflected in the next five-year plan. This is probably also because there will be no rise in consumer prices.

#### Soviet Petroleum at OPEC Prices

But in immediate terms--until such time as the potential wealth of agriculture, neglected to the benefit of industrialization, is restored to its rightful place--Romania is trying to develop its trade with its socialist partners. The speech delivered in June to the CEMA session by Prime Minister Verdet and his appeal for strengthening socialist cooperation in this respect mark a milestone in Romanian policy.

It would be wrong to speak of a radical turning point for two reasons. First of all, because the share of the CEMA countries in Romanian trade (39 percent, including 17 percent for the USSR) is very low so that it cannot be increased without producing a profound reorientation. Besides, because Bucharest still avoids participating in joint investments deriving from the economic integration process of the bloc and instead seeks to enter into bilateral agreements with its various partners. Mr Verdet recently went to Moscow and, after having received Messrs Zhivkov and Honecker, Mr Ceausescu was to be received at the end of the year by Mr Husak.

However, the change in direction is quite clear; it may well be accentuated to the extent that the capitals concerned are little inclined to allow

Romania benefit from advantages which it would not be paying for neither in terms of the economic price nor the political price. An accord was concluded with Warsaw concerning the joint exploitation of a deposit of Polish coal. But Soviet petroleum, which Romania began to import for the first time in 1979, must be paid for in foreign exchange at OPEC prices (these shipments in 1979 came to 350,000 tons and this year should reach 1.3 million tons); pressures are being stepped up to make room for the USSR in the equipment to be installed in nuclear power plants.

In the long run, all of these difficulties could influence domestic policy. In spite of the redoubtable efficiency of political security and the rapid crushing, in 1979, of an attempt at creating a "free labor union," strikes did break out in recent weeks. They were very severe and reportedly involved the steel mills at Galati, the 23 August machine-tool plant in Bucharest, and the mines in the Jiu valley, where a movement had already broken out 2 years ago. As for intellectuals, while challenge is foreign to them, they have an increasing tendency to remain in the West when they can go there; 40 percent of those who went to West Germany in 1979, as part of a cultural exchange program, chose to stay there and, in spite of the agreements that had been signed, these exchanges with the West are definitely in a stage of stagnation. The popularity of Mr Ceausescu, which was great for a long time because of his condemnation of Soviet intervention in Prague, is today less evident. It would certainly suffer even more as a result of an excessively pronounced softening toward Moscow.

The visit made by the Romanian president to France on Wednesday should thus be an opportunity for him forcefully, in a friendly western capital, to emphasize that his foreign policy has remained unchanged. The only dark spot would seem to be the severe deficit which Romania registers in its trade with France and which it cannot tolerate. Its absorption, it will be noted, is the indispensable requirement for signing new contracts with Paris.

But beyond this bilateral problem, Bucharest assigns as much importance to this visit as Mr Carter--which was noted with concern here--did not desire to stop off in Romania in June during his trip to Yugoslavia. Some people are inclined to consider this a way of telling the Soviets that Washington considers Bucharest--contrary to Belgrade--as part of their sphere of influence.

5058  
CSO: 3100

NEED FOR AUTHENTIC CULTURAL VALUES STRESSED

Bucharest ROMANIA LIBERA in Romanian 7 Jun 80 p 2

Article by Gheorghe Stroia: "Cultivation of Authentic Values"

Text Developing under the most liberal humanistic auspices, Romanian socialist culture passed through the period of its great fulfillment and clarification in the last 15 years. It gradually found and determined its vital, dynamic and creative spirit and extended its social influence as it more and more clearly indicated its place and mission in the vast process of intensified revolutionary reform. A new, ebullient and reconstructive atmosphere throughout all society revitalized and renovated its ideational content, freeing it of simplistic flaws and narrow, dogmatic and hidebound views. It was now free to follow unhindered the path opened by the era of socialism, which it had never basically abandoned, toward the attainment of the high qualitative standards and lasting achievements that will lend it a prestige on a par with the accomplishments in the other fields of human creativity.

In the noble battle to gain the realms of the sublime, henceforth culture, literature and art will have to face enemies that have infiltrated their inner forum itself, clad in the clothes of art and fighting with its characteristic means. Such a parasitic intruder in the citadel of culture has been detected in back of the phenomenon known by the German term "kitsch." The frequency of the subject and of the usages of the word (kitsch art, kitsch creator, kitsch public, kitsch attitude, kitsch taste; "popular" or "aristocratic," "academicizing" or "avant-garde" kitsch; anti-kitsch reaction, etc.) seems to indicate an alarming situation requiring prompt and decisive measures.

We do not intend to discuss here the causes and conditions of the appearance and general proliferation of kitsch. Such an analysis has been made competently and to good effect in the technical literature. We only point out here that Romanian cultural activity is not free of the bad influence of manifestations of the kitsch type and that a concerted effort must now be made to curtail and eradicate them.

Experience tells us that instances of kitsch occur in all areas of the aesthetic, from cultivated to popular art, and from the surrounding environment and

artistic products to forms of social behavior on the part of those initiated in this field and those less familiar with it. To be sure the extent of their presence and intensity varies, but their ideational and educational effects are equally dangerous and harmful. Therefore a firm, intolerant stand against any instances of it must become a standard of conduct in all aesthetic activity from creative work to criticism of the products with pretensions to beauty. To this end, Romanian society has made it a matter of major national importance to try to cultivate the authentic artistic values, past or present, in the native and universal heritage.

As we know, we are the heirs of a rich cultural treasure which it is a noble patriotic duty to receive, preserve and popularize. In all that we accomplish today we must proceed from recognition of the existence of this cultural background so that there will be a natural and necessary continuity between the present and the past. Any kind of hiatus is a harmful accident contrary to the uniformity of Romanian culture. But the legacy of the past is to be employed critically, requiring a selective examination to clearly distinguish the cultural-artistic achievements from their substitutes so that the values can be carefully graded, distinguishing those of the greatest brilliance from the multitude of those forming the broad base of the spiritual edifice upon which the peaks are raised that give forth enlightenment and personality. Cultivation of the real tradition requires ideological and aesthetic firmness both against nihilism and artificial "separations" and against traditionalism and indiscriminate acceptance "en bloc." The previous periods, like our own, are very rich and present an endowment of bewildering complexity in which are mixed, sometimes indistinguishably, true works of art, masterly improvisations and lasting, permanent values with ephemeral, insignificant products meant to satisfy the whims of the moment, ideas "in vogue," and decadent tastes. Along with the tradition of the great creators (Eminescu, Creanga, Caragiale, Grigorescu, Pallady, Brancusi, Enescu et al.) and of the exceptional aesthetic achievements governed by the laws of harmony, balance, moderation and sobriety the cultural past leaves the legacy of facile, superficial works that reject serious problems and try to startle us with their false brilliance, licentious stories and ostentatious vulgarity. Obviously no points of departure or support for present accomplishments are to be sought in such "traditions." The problem of art substitutes, which always offend the man of taste when they appear in displays patronized by official institutions, is to be understood in this light. For example, any true lover of beauty is struck by the vast discrepancy between the gems of Romanian popular poetry embodied in songs, ballades and the peerless "Miorita" (See Lamb) (although their unduly theatrical interpretation does not serve their authenticity) and the vulgarizing works that border on pornographic emissions like "Balalau" or "Magdalena Tell Me True...," just as the distance is infinite between Grigorescu's paintings of peasant women or Luchian's floral paintings and the reproductions of gallery paintings or imitation tapestries on plush textile surfaces, like the rape of odalisques in seraglios, sometimes "imported" at high prices, which distance actually distinguishes the authentic act of culture from pseudo-art and trash. But the real aesthetic creations cannot always be distinguished readily from their imitations because of the variety of clever ways in which the values of the original can be replaced with the substitute or copy.

Between the sobriety and strength of the folk dance handed down from generation to generation in the same basic form and the choreographic composition devised by various "stylists" who sometimes transform the vitality of the folk dances into circus acrobatics or operetta pirouettes there are degrees of perception that require a sound aesthetic education capable of discerning, demanding and pleading for truth. Sometimes the colorful effect of blouses made of nylon instead of silk or cotton can be attractive, or that of skirts embroidered with aluminum thread, or the garishness of polychrome decorative exteriors of peasant houses as contrasted with the austerity of white limestone or blue Voronet, but they can never take the place of the authentic object of art that must be made according to the traditions of good taste, of chromatic and compositional harmony, and of the balance and proportions considered as elements of the greatest importance for defining the spiritual qualities of our culture.

Practical experience tells us that the way to such aesthetic by-products is often facilitated by resorting to convenient methods and treatments, by use of cheap materials, by industrial processing and series manufacture of the products, by the need of their rapid manufacture, by imitation of worthy literary, musical and artistic creations, and by making changes assuring these forms a wide public success and a considerable material profit in addition to the spiritual one. In a consumer society the last point undoubtedly plays a primary part, because there the identity of "mass consumption" with "mass cultural consumption" does not mean access of the entire people to the major cultural values but supply of low-quality products "for the masses," inevitably leading to cultural leveling, standardization and depersonalization. The spiritual phenomenon is stratified into a "high culture" for the "elect," accessible neither materially nor aesthetically to the public at large, and an "ordinary culture," specially created for simple people whose sensory and mental powers are incompatible with aspirations to artistic refinements. While in capitalist systems such an erroneous "elitist" position has its justifications in social and ideological determinations, its reverberations, which unfortunately sometimes reach our artistic horizon, are entirely foreign to the nature of socialist society and lower our cultural prestige through the appeal to servile imitation and through lack of national dignity and patriotic pride.

Intensive studies have already shown a causal relationship between the stages of intensification and proliferation of the kitsch phenomenon and the periods of great cultural dislocations and impact of two forms of culture, periods when the old criteria are losing more and more validity and those meant to replace them are not sufficiently consolidated. Therefore the offensive against the ravages of this cultural scourge must be based upon the sole chance of success, namely cultivation of the authentic values and promotion of the real innovations and evaluations based on firm principles allowing for the aesthetic-ideological entirety of the artistic creations. Unfortunately, however, this aspect is often evaded in the various symposiums and colloquiums and administrative measures are primarily requested to stem the flow of kitsch that is still sold in the most crowded urban centers by some stores and newsstands and by quite a few inexplicably tolerated private producers. Of course such

measures would be salutary but their effect is only limited (Such products can be procured by unauthorized means) as long as people are not sufficiently convinced that they are not worth buying. The expansion of kitsch can be checked only by a series of well-coordinated actions wherein the theoretical discussions are always accompanied by artistic activities in unquestionably good taste capable of impressing anyone regardless of his cultural background. Persistent and regular aesthetic indoctrination on various planes and levels should have the main objective of forming taste and the socialist aesthetic ideal and of transforming our entire environment in accordance with current psychic and ideological standards and the constantly growing requirements of professional and popular Romanian art. In this connection, the extensive demonstrations organized under the auspices of the National Cintarea Romaniei Festival, which Nicolae Ceausescu described as representing "a new way of expressing the talent, sensitivity and creative genius of the Romanian people," are to become an authentic and vast forum for exploiting the treasures of the past, for discovering and promoting talents, and for intensifying mass participation in the output of new artistic values. But it is regrettable that the juries, in which more creators themselves should be enlisted, make harmful qualitative allowances, encouraging substitutes for art and facile, superficial and hackneyed productions that have nothing in common with true popular creativity. We must combat the mistaken opinion of those who regard the forms of kitsch as the first steps to understanding of elevated, authentic art when experience proves that they are not preart but antiart, substitutes for art and pollutions of art. In this respect and in general, in the effort to firmly and efficiently combat bad taste literary and artistic criticism and aesthetic theory are still greatly indebted to the imperatives of immediate urgency. The famous theorists' signatures are seldom seen in the criticisms of the works presented at the festival, and the task is usually left to the amateurs and lovers of these works, who lack the competence and therefore the efficiency of the specialist of note. The sterile, pedantic disputes and Hamletian questions about the purport of this vast mass cultural movement must be replaced by joint action on the part of all elements expected to watch over the development of our new socialist culture, by a responsible commitment of all the forces our ideological front has at its disposal to clarification of the theoretical points and encouragement of the practical results, and by a greater concern for the very destiny of Romanian culture.

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ROMANIA

INCREASED EMPHASIS ON PUBLIC OPINION ENVISAGED

Bucharest ERA SOCIALISTA in Romanian No 11, 5 Jun 80 pp 4-8

Article by Ion Mitran and Petru Panzaru: "Development of Socialist Democracy and the Growing Role of Public Opinion"<sup>7</sup>

Text<sup>7</sup> In social-political theory and practice as well, the modern world is confronted with vast problems concerning access of the masses to social management and the nature and role of public opinion. In connection with these subjects, different ideological and political concepts are naturally contrasted against the background of different social experience. These confrontations reflect the objective fact that the broad popular masses and public opinion value the system that ensures true democratic rights and freedoms and provides a real opportunity, an institutional framework and a favorable climate and conditions for the people's unrestricted and constructive presence in social-political activities.

In general the relationship between democracy and public opinion is inherent and fundamental, but historical experience tells us that it becomes valid naturally when socialist society is formed. The process of intensifying democracy and extending the masses' participation in management is the inexhaustible source of the constantly growing strength of socialist society and the guarantees of progress toward the communist future. By freeing men from exploitation and oppression, socialist production relations make it entirely possible to use all the resources of socioeconomic progress and the creative capacity of the masses for the benefit of the entire nation and consequently of each of its members. In such a situation the development of socialist democracy and the growing role of public opinion clearly lie in relations of interdependence.

Nature of Socialist Public Opinion

Social scientists agree that public opinion is a psychosocial phenomenon with objective social determinations and subjective qualifications, performing many important particular functions and strongly influencing all forms of activity and social relations on both the macrosocial and microsocial levels. The

general objective social factors (nature, characteristics and developmental stage of the socioeconomic structure and of the production method, the class structure, the type of political system, the distinctive national, historical, social and cultural features, the systems of particular social values and norms, etc.) are combined with the particular, individual ones (the person's position in the social division of labor, his occupational, class, social, political, national and religious affiliation, his residence, age, sex, degree of instruction, family status and functions, etc.), giving rise to attitudes and behavior that are reflected in the common opinions and judgments of several social groups or categories. The opinions have a social determination because they are manifestations of the social consciousness, direct and indirect reflections of people's specific-historical social existence. As Marx and Engels said in "German Ideology," "The diversity of opinions is explained by the different position he (the individual) occupies in the world, and this position is in turn a product of the whole social organization."

Sociologists and social psychologists regard the opinion holders as specific people and members of various publics whose social interaction on the intellectual level (in relation to specific, current events and reports that arouse interest and are capable of different or conflicting interpretations) gives rise to public opinion and opinion trends.

The essence of public opinion, as one of the most complex phenomena of society's intellectual experience, lies in its expression and manifestation of the evaluative aspect of all forms of the social consciousness. And this gives rise to public opinion's function of appraising and evaluating the facts, events, activities, specific social relations or other opinions in relation to the criteria systems and interests of the respective social groups or classes. And the other basic functions of public opinion, namely those of regulation, social control and education, are manifested and performed at the same time.

To be sure socialist public opinion has some general characteristics and mechanisms in common with public opinion in general, regarded as a psychosocial phenomenon and an influential manifestation of all components of the social, philosophical, political, legal, ethical and aesthetic consciousness. But in its content and direction and in its social role as well, public opinion acquires some particular characteristics and functions in socialism. This is primarily due to the nature, aims and way of constructing socialist society, to the new socioeconomic, political, ideological and cultural system, and especially to the new order's distinctive characteristic of being built with the purposeful participation of the masses. As Nicolae Ceausescu said, "Socialism and communism are conceivable solely as a result of the purposeful historical creativity of the masses and as a system wherein for the first time in history the masses attain a higher understanding of necessity and the objective laws and act according to their requirements, purposefully determining their own destiny."

The socialist social structure generates an unprecedented development of the role of the purposeful factors (manifested in organizational and

institutional systems) in the masses' practical-transforming action. The relationship between the haphazard and the purposeful in social development is radically changed in the direction of gradual elimination of the effect of the chance factors and planned, organized and purposeful development of the future consequences of present activity. The relationships between compulsion and persuasion are also radically changed. And finally the new order creates objective and subjective conditions so that the lag of social consciousness behind social existence will not be inevitable or fatal. This requires an intensive and continuous effort to form and develop the socialist awareness of the masses, and the uniform, organized action of all educational elements.

Experience with socialist revolution and construction in Romania and the other socialist countries as well bears out the Marxist theory that the proportion of the masses purposefully implementing a historical action increases with its depth, thanks to the party's educational work. And the main distinctive feature of construction of the new society that is basic to the new nature and functions of socialist public opinion lies in the fact that for the first time in history, the masses are acquiring the decisive role in government administration under the leadership of the working class. This harmonizes the interests of the masses with the state power.

In its task of organizing and directing the extensive revolutionary process in Romania, the RCP is constantly developing the forms of collaboration with the broad masses and of public discussion of its political policy and its entire activity, encouraging the citizens' effective participation in all political affairs. In this way the RCP is according public opinion, that basic institution of socialist democracy, a leading role in the improvement of socialist social relations.

In general the objective process of developing and intensifying socialist democracy is basic to the origin and expression of socialist public opinion and fosters development of its increasingly complex functions. Therefore thorough and comprehensive study and understanding of the particular functions of public opinion under socialism require determination of the series of objective factors that make it a structural component of social management, as a form of lasting and effective contact between the management organs and the popular masses and as a powerful motive force for the constant improvement of socioeconomic relations. Thanks to the compatibility of the general interests of the state with the basic interests of the masses, public opinion under socialism acts in unison with the political power and not in opposition to it as it does in the capitalist countries.

The crisis that capitalist society is undergoing is an all-inclusive, global one and it also indicates a crisis of the system of political organization and management, a system wherein bourgeois democracy, despite the progress beyond previous historical periods and despite the extended participation in social activity thanks to the struggle of the masses, has reached an impasse in the path of historical progress and is in fact an instrument for manipulating public opinion.

The state of social-political crisis bound up with the economic crisis is constantly manifested and aggravated in the bourgeois world, making it increasingly evident that the capitalist system has become incapable of resolving the main structural problems with which it is faced or the global problems of contemporary mankind. Under these circumstances the democracy of the old system has gradually reached an impasse in a feverish search for new formulas for survival, as it vacillates between formal proclamation of civil rights and their more or less disguised annulment, between demagogic, publicized support of the ideals of freedom and sometimes drastic reversal of the social freedoms and human values.

Socialist public opinion is not split or fragmented by antagonistic social contradictions but united by uniform interests as an expression of the social, political-ideological and moral unity of society as a whole, composed of friendly classes, categories and social strata. At the same time, by virtue of its nature and aims, socialist public opinion is critical and revolutionary and opposed to conservatism, stagnation, bureaucracy, antisocial phenomena and attitudes contrary to the principles of socialist ethics and justice.

These functions and characteristics strikingly contrast with the views of anticommunist theorists who consider the new order intolerant or only partly tolerant of the opinions and attitudes of the masses. In this respect, some studies of the role of public opinion in the socialist social system, based on preconceived ideas and theories, fall far short of presenting the nature, functions and characteristic features of the new social consciousness. One book on public opinion in the European socialist countries\*, characterized in general by limited and one-sided information and obvious misinterpretations of the facts, maintains that the masses are predominantly apolitical in these countries and that there are alleged restraints upon "what public opinion could demand" or upon "directly addressed critical questions" (pp 180-181). While acknowledging that "The communist regimes have purposefully built institutions and developed modes of behavior that have led to involvement, if not exactly to real participation, of the majority of the population in public affairs," (p 6) the authors say in complete conflict with the facts that this participation is "ineffective."

Of course only a pertinent and well-documented analysis, free of typically bourgeois prejudices, of the particular functions of socialist public opinion can truthfully present the proportions of this phenomenon of growing importance in the evolution of the socialist political system.

In consideration of the particular characteristics and functions of socialist public opinion and for purposes of developing its role on the scale of society as a whole and on the level of limited groups (labor, instruction, research, creativity, education, management etc.), the RCP precisely determines and clearly formulates both the more general, relatively fixed objectives of the action of public opinion and the specific, current and immediate tasks and objectives that it plays an important part in implementing. Thus the

\*W. D. Connor and Zvi Gitelman, "Public Opinion in the Socialist System European Countries," Praeger Publishers, New York, London, 1977.

general trends of Romanian public opinion in the present stage coincide with the basic aims of construction of the fully developed socialist society determined by the 12th Party Congress, so that the attention of the masses is concentrated on the qualitative aspects of socioeconomic development, the steady growth of the whole national economy, and improvement of its management and that of all social activity. To refer in this connection to the favorite subjects of workers public opinion, the most evident ones are the efforts toward exploitation of the potentials for economic growth that exist in every unit, in the counties, and in the nation as a whole, toward greater labor productivity, better product quality, and reduced outlays of materials, energy and fuel, and toward consistent and complete fulfillment of the pledges made in socialist competition etc.

### Public Opinion As a Dynamic Factor for Socialist Democracy

As it is fully and regularly pointed out by the party documents and the decisions of the 12th Party Congress and attested by the process of building the fully developed socialist society in Romania, continuing development of the role of public opinion is a basic factor for intensified socialist democracy.

The points in the RCP Program concerning the place and role of democracy are based upon complete understanding of the dialectical relationship between the strategic objectives of the all-around development of the new order and the entire people's purposeful participation in the attainment of these objectives. In stating the principle that intensified socialist democracy amounts to an objective historical necessity, the RCP Program has included among the basic aims of the present stage "expansion and improvement of the organizational framework for the workers' active and effective participation in social management and in the preparation and implementation of the party's and state's domestic and foreign policy."

This improvement of social management, including constant improvement of the organizational and institutional framework for expression of public opinion in the most varied forms, is one of the goals of socialist progress in Romania.

In performing its role as a political leader, especially in the period inaugurated by the Ninth Party Congress 15 years ago, the RCP has initiated and adopted a wide range of political and organizational measures, legal regulations and educational policies to lend viability to socialist democracy and to effective participation of the working class and the other classes and social strata in the preparation and implementation of policy and in social management. The evolution of Romanian socialist society is essentially characterized by the close unity between constant modernization and improvement of the economy and all social activities and increasingly effective participation of the masses in decision-making, with intensified exchanges of views on the most diverse questions of major importance. The formation of an organizational and institutional system wherein various democratic bodies are combined in a single whole, as instruments for the masses to exercise their right to a say in the adopted decisions, is in keeping with this consistent policy. As we know, in recent years conferences on various activities (industry, construction, transportation, agriculture, science, education, culture etc.)

have been institutionalized as true national forms with permanent democratic bodies. They include an extensive exchange of opinions and experience contributing to the solution of the many problems of socioeconomic development.

Romanian socialist democracy permits not only expression of workers opinion but also exercise of the people's control over implementation of party policy and party and state decisions. Socialism's new contribution to social, economic and political management on both the central and local levels lies in the fact that ratification of decisions of national significance (programs for socioeconomic and cultural development, laws and decisions) and of local significance is regularly preceded by their public discussion in the draft stage, and in the fact that involvement of the masses in management more and more harmoniously combines indirect participation (through eligible representatives that can be recalled) with direct participation (through the direct and permanent presence of workers in material and mental production in decision-making, executive and control organs, from bottom to top).

To be sure this process is neither simple nor easy. It is complicated and sometimes encounters difficulties for subjective as well as objective reasons. Under socialism workers participation in the decision-making process (whether microsocial or macrosocial) is a new form of social conduct, and like any such it requires a certain time to be assimilated and interiorized as a fact of consciousness and especially as an act of social behavior creating the climate of advanced public opinion. But for the subjective elements this does not mean to rest in anticipation but to act to enhance the awareness of the masses and to encourage advanced opinions.

By the very nature and dialectics of its assertion, socialist public opinion cannot be regarded as having an absolutely uniform structure in all problems of daily life. This absolutism sometimes encountered in social-political literature is based upon an undialectical and rather idealistic view of the construction of the new society and evasion of the objective contradictions and the mechanism of the conflict between the new and the old. In view of the extreme complexity of social experience and relations, there is an inevitable clash between the advanced opinions favoring harmony of individual and social interests and the backward, individualistic, stereotyped or even antisocial opinions that cannot be overlooked in the educational process however insignificant they are. As a matter of fact the RCP's effort to lend an aggressive, militant character to political-ideological work, the mass communications media, education, the social sciences, literature and art is motivated by the very necessity of overcoming backward manifestations, both in ideas, attitudes and opinions and in social activity and practice, by a daily effort in the most varied ways.

Of course in planning and applying organizational forms, economic levers and legal regulations of a democratic nature to social activity the RCP emphasizes the social-human viability and effectiveness of the organizational framework as well as strict observance of the approved standards. Socialist democracy, the forms of collective management, the public discussions etc. have nothing in common with empty verbiage or discussions for the sake of discussions.

It is not by chance that mass participation is both the preparation and the application of decisions. Democracy is not confined to the stage, albeit a very important and critical one, of discussing mass decisions, laws etc. but necessarily includes the vital process of implementing the approved decisions and exercising social control from the top and from the bottom over the practical ways of carrying out the approved measures in each sector.

Social control under socialism is to be understood as inseparable from democratic centralism and the consistent application of that vital principle of organization and management of the state and society as a whole, which calls for coordination of control from above through channels (also designated as a control by the community through representative and executive organs and institutions) with control from below indirectly exercised by the workers' collectives and public opinion over the management of the enterprises, institutions and local and central organs. These forms of social control supplement and require each other, performing the single task of checking observance of the legal and moral standards of Romanian socialist society, detecting, combatting and preventing defects, and revealing the internal, material and human reserves that can help to improve economic, cultural and educational activity. The general activity of control in Romanian society is planned by the party as an important aspect of further improvement of the management of socialist construction, a form of sound knowledge of the problems of socioeconomic development, and a way to improve the activity as well as a form of participation of the masses in state management, helping to form a powerful and exacting mass intolerance of any defects or negative attitudes in social behavior.

As Nicolae Ceausescu pointed out, action must be taken "to further improve socialist legislation and to develop the role of public opinion in the enforcement of Romania's laws, and in combatting and preventing violations of the standards of social coexistence. The experience acquired by the workers' judicial councils in the socioeconomic units and under the executive committees of the people's councils is to be developed for this purpose."

Further emphasis upon discussion of various legal violations, in the public meetings organized by the councils of the Democracy and Socialist Unity Front, provides for the further reduction and ultimate elimination of violations of the standards of social coexistence. Of course this is aided by every citizen's understanding of the fact that in our system both the rights and the duties that he enjoys require him to apply and constantly observe the standards of coexistence, to display a sense of responsibility to society, and to act in the general interests of the people, which correspond to the interests of every citizen's welfare.

In the regular effort to stimulate public opinion as a factor for social control and better social management, a highly important part is played by receptiveness to the comments, criticisms and suggestions expressed by the workers in assemblies, conferences and discussions or in letters to the party and state organs, the public organizations and the press. The party administration pays particular attention to the opinions of all categories of workers,

organizing conferences and discussions and raising frequent working visits to plants, workers' educational units, and institutions of higher educational and scientific research. These working conferences and meetings are conducted in the spirit of high communist standards and in an atmosphere favorable to expression of critical opinions, formulation of specific proposals to improve operations in a given field, and mobilization of the masses' creative potential resulting in formation of trends of militant, aggressive and advanced socialist public opinion.

The mass communications media, radio and TV, the central and local press, the political-ideological propaganda system, and the many organized forms of public discussion, have an important part to play in this activity. The mass media function as depositaries of advanced public opinion and factors for accumulating favorable experience and for performance of socialist public opinion's functions of education and social control. The press, radio and TV devote much space to columns and broadcasts expressing the opinions, suggestions and criticisms of all categories of workers, create trends of opinions favorable to socially significant acts and actions, and publicly decry behavior contrary to the socialist way of life and ideas and bureaucratic attitudes toward citizens and their opinions.

Clearly the party organs and organizations have a critical part to play in the effort to foster advanced public opinion. Their leading role, specifically designed on the level of practical, daily action and not on the general, abstract and doctrinal level, is also apparent from the fact that every party organization and all journalists are expected to be leaders of socialist public opinion, very earnestly trying to form a collective opinion firmly advocating socialist standards of judging people's work and behavior. For that very reason an atmosphere of high standards and responsibility in the respective collectives and the formation, in each particular case, of a trend of advanced opinions that will have a preventive and corrective effect upon misconduct and a stimulating one upon acts in the general interest are criteria for evaluating the practical results of the political-ideological and educational work of each party organization.

#### The Forum of Democracy for Advanced Public Opinion

The "Forum of Democracy" was created in the process of constantly improving the organizational framework for effective participation of all categories of workers in the great task of carrying out the assignments of the 12th Party Congress. As Nicolae Ceausescu pointed out at the Congress of the Democracy and Socialist Unity Front, it provides for "increasingly active exercise of the citizens' democratic rights and freedoms and direct participation of all urban and rural workers in the discussion of problems of general interest, in the resolution of public questions, and in the development of all citizens' political awareness and sense of civic responsibility."

Social management is developed and improves by a continuous process of criticism and self-criticism, the "natural weapon" of truth, realism and high standards. On this level, it is the mission of the "Forum of Democracy" to enhance

the ways of manifesting collective responsibility and strengthening the individual responsibility of all those with management functions and also to accept the suggestions and the frank and direct exchanges of opinions, criticisms and self-criticisms on the level of each community.

As a means of improving the activity, approach and methods of specific social-political management, this new vehicle of organized expression of public opinion is a permanent medium of contact and dialog between the workers and the representatives of the state authority and administration and of the managements of units and services serving the public. In this way it is quite possible in each case to adopt suitable measures and to indicate specific solutions of difficulties and defects by complying with the workers' substantive criticisms and justified opinions, proposals and requests.

The "Forum of Democracy" has no predetermined subject matter at all. The problems discussed are those brought up by the participants. Each one is free to bring up the problems requiring clarification or solution in his personal opinion, from those that are seemingly minor but important to daily activity (concerning, for example, supply, services, management or municipal operations) to those concerning the significance of programs, measures, regulatory acts or points of domestic and international policy. The scope of the problems is practically unlimited and their expression is quite free. In the democratic spirit of Romanian society, no one can be stigmatized in any way for a question that some might consider out of place or for a criticism even if it is not fully justified. It is also highly important to try to provide clear and frank replies to requests and opinions that do not allow for the objective material conditions of Romanian society in its present stage of development, and to clarify confused or unsound viewpoints. Problems or questions that cannot be answered at once are to be answered at the next meeting, since absolutely all the problems must be thoroughly and completely clarified and every citizen is entitled to ask questions and to receive relevant and prompt answers. If some participants can explain any problems themselves that are brought up by the others, their contribution will be welcome.

In this way the "Forum of Democracy" makes it possible to constantly enrich management experience and to consolidate direct contact with the citizens, who in turn enhance their knowledge and understanding of the current and long-range problems of regional and national development.

It is clear that the citizens are invited to participate in as large numbers as possible. There can be no question of restrictions of any kind. All citizens can and should participate, regardless of age, job, interests or nationality, who live in the respective area and want to inquire, discuss and receive answers concerning the various political-economic or social aspects of our party's and state's domestic and foreign policy, urgent or priority problems of general interest and practical and specific problems in order to contribute more to their solution.

The organization and operation of the "Forum of Democracy" are a new experience for the councils of the Democracy and Socialist Unity Front as well as

the citizens. In realizing these actions there are still some initial hesitations and some doubts especially in connection with some organizations' attempts to make of the "Forum of Democracy" a kind of subject conference or at times an occasion to present reports and accounts concerning some economic, social, scientific or other problems. But the basic characteristic of the "Forum of Democracy" is its dialogue, to be developed as an active and effective instrument for intensifying democracy in Romanian society and for constructive expression of public opinion.

Of course the nature, functions and forms of expression of public opinion must be constantly examined and studied by scientific means.

On the basis of the main appraisals in the party documents and the dialectical-materialist and historical analysis of the Romanian social-political facts, the researchers in the social sciences (philosophers, economists, political scientists, jurists and sociologists) make their contribution to the theoretical interpretation and specific investigation of the dialectical correlation between socialist democracy and public opinion and to the discovery of ways to enhance the visibility of the democratic institutions and to perfect the organized forms of expression of socialist public opinion.

More attention is being paid to study of socialist public opinion as an influential factor in the social management system, with special emphasis on the deliberative (decisional and directive) function of the discussions as well as the consultative function of public opinion in improving the regulatory acts and in checking the validity of the various draft decisions and measures of the local, county and central state organs.

The dialectical correlation between development of the masses' socialist awareness and growth of the militant contribution of public opinion in all activities and on all levels of social organization, the ratios between the haphazard and the purposeful and the empirical and the scientific in the formation of advanced trends of public opinion, the increased importance of the public vehicles of moral judgment and influence, and the greater effectiveness of mass political indoctrination and the mass communications media are important subjects requiring more regular and more intensive scientific research and discussion. The studies and investigations, which must be made in a more interdisciplinary and multidisciplinary way, can support the regular efforts to make full use of the potential for the democratic development that is inherent in the very nature of the socialist political system, as well as the more efficient and complete assertion of socialist public opinion in governmental, economic, political and cultural-educational activities and in the consistent promotion of the principles of socialist ethics and justice.

Social experience is the supreme arbiter of both the correctness of opinions and the viability of a policy. Experience bears the correctness and realism of the RCP's domestic and foreign policy, wherein the aspirations, opinions and basic ideals of all workers in socialist Romania regardless of nationality are summarized and materialized. Having unbreakable and lasting ties with the broadest masses of the people and being the authorized exponent of the thoughts and feelings of these masses, the RCP is successfully performing its leading role in society and its mission of guiding the people on the path of socialism and communism.

ROMANIA

ROLE OF HISTORY IN FOSTERING UNDERSTANDING AMONG PEOPLES

Bucharest ERA SOCIALISTA in Romanian No 11, 5 Jun 80 pp 18-20

Article by Univ Prof Dr Aurel Loghin, corresponding member of the Academy of Social-Political Sciences: "Historical Science As a Means to International Understanding and Collaboration"

Text Between 10 and 17 August 1980 Romania's capital will lodge the 15th International Congress on Historical Sciences. This important scientific meeting will be the occasion of an extensive exchange of views and a full discussion of historical subjects in various fields, in the course of which the Romanian researchers will be able to report their progress in the last few years, their current studies and the ideals basic to their activity. Benefiting by the participation of famous scholars from various countries and many researchers in all fields of history, the congress is called upon to aid rapprochement, friendship and fruitful collaboration among all peoples and to advance the cause of peace and progress throughout the world.

The recent working meeting of Nicolae Ceausescu, the party secretary general and president of the republic, with representatives of scientists in the field of history on the subject of preparing the Romanian historians to participate in this impressive international scientific meeting is also an indication of the care and concern of the RCP and socialist Romania for the success of the congress in Bucharest. On this occasion the scientists and researchers who spoke pointed out Nicolae Ceausescu's noteworthy contribution to the orientation and development of historical science in Romania, to better teaching of history, and to application of the progressive, revolutionary traditions of the Romanian people, the working class and its Communist Party. In addressing the participants, the party secretary general described the tasks confronting the Romanian historians in connection with the preparations for the 15th International Congress on Historical Sciences, emphasizing once again, as he has on other occasions, the necessity of devoting their entire activity to the vital interests of the Romanian nation, to construction of the new society, and to advancement of the ideals of freedom and progress of all peoples. In this connection Nicolae Ceausescu told the Romanian historians to make the congress in Bucharest a contribution to strengthened

collaboration and cooperation among peoples and states in accordance with the new principles of international relations that are being gradually asserted in the world today, namely full equality of rights, observance of national sovereignty and independence, and noninterference in other nations' internal affairs.

From the most ancient times the history of mankind and of nations has been heavily dependent upon the living conditions and gradual development of the productive forces. In the labor process men have formed smaller or larger communities and have learned to work together, to cooperate and to think what must be done to withstand all calamities and to secure a better life.

A nation defines itself in shaping and writing its history. The responsibility and commitment of writing its first book first of all requires the development of a consciousness that can define and particularize its fundamental, characteristic traits. A people that has written its history is in fact revealed to the other peoples, presenting for their knowledge and judgment the distinctive stages of its progress in time, its way of life and its mode of thought and feeling. Anyone who ever examined the history of the lands inhabited by Romanians could see that from the beginning they have proudly asserted themselves as free men, wishing to be respected and regarded as friends of other peoples. This aspiration has become one of the chief manifestations of the Romanian people's desire for peace and collaboration with the European peoples or with those in other quarters of the globe.

As soon as these feelings, characteristic of the Romanian people, became pages of history , those pages became an instrument of rapprochement and friendship among peoples. The RCP quite rightly points out that historicity should be based upon the general conditions under which a given nation was formed, the cooperative relations among nations, and the close interdependence of civilizations. The history of a country cannot be conceived as a "closed book," addressed to and interesting a given ethnic community alone. Now more than ever before he who assumes the responsibility of a "chronicler" of his people cannot truly perform his task unless he sees it as a harbinger of the highest ideals of friendship and peaceful collaboration. The land of any people's historical development should be presented as a realm of friendship within which hatred among peoples, warlike tendencies, the desire to conquer or annex foreign territories, violence and the use of force will be forever abolished.

Though designed to investigate the past, history cannot ignore the realities of our times. These realities show, for example, that there are independent nations in Europe, states with borders to be respected, and that any questioning of their independence or borders is indicative of a revanchist policy giving rise to wars. Observance of historical truth means rejection of any attempts to question the realities existing in the world today. On the basis of realities and the requirements for observance of national sovereignty and independence and of the states' territorial integrity, historians can make a considerable contribution to strengthened collaboration among peoples and to the establishment of an active, mutually advantageous collaboration among all

the states on behalf of their socioeconomic development and of peace and security throughout the whole world.

Thorough understanding and assimilation of the truths of the past can provide contemporary man with a more complete definition of his present and future mission. Anyone who will heed Romania's past will be able to see that the Romanian people in their memorable history have never tried to subjugate other peoples. In their centuries-long struggle for their development and prosperity they have resolutely defended their existence, while cooperating with the other peoples in this area of Europe in the fight for freedom against foreign domination.

The Romanian nation was formed under material, cultural and spiritual conditions that gave it a character of its own. In pointing out this truth, the Daco-Romanian origin of our people and their fight for freedom and independence, the historians are also called upon to bring out the facts that led to contacts and mutual influences among the populations of these regions and the process basic to the formation of the Romanian nation, the Balkan peoples and other neighboring peoples. To this end they must point out what the peoples of this area achieved in common, the fact that their civilization is the result of the cooperation of our forebears, and that when there was no such cooperation the peoples of Southeast Europe fell under the domination of the great powers. Therefore in approaching the problems of Romania and of collaboration in the Balkans and with all the other neighbors we must begin (as the party secretary general pointed out at the recent working meeting with representatives of the scientists in the field of history) with the community of interests of our peoples, which is a reality that arose in the course of historical development. Economic problems played the decisive part, supplemented by the struggle for independence and for the development of science, culture and civilization as a whole.

The same process of strong unity on all levels must also be brought out in the history of the formation of the Romanian nation and the unified national state. The close ties between Wallachia, Moldavia and Transylvania, and especially their economic ties, were critically important in crystallizing the feeling of a common Daco-Romanian origin and in the formation and development of the national consciousness. Only by approaching the problems in this spirit, from the positions of dialectical materialism, can we more clearly understand the close ties established between Romanians and the national minorities in Romania and consequently the need of cultivating all that is good in the past and in their common history and of constantly consolidating brotherhood and unity between the Romanian people and the national minorities.

In our period, characterized by an intensive advance of the nations and their aspirations to freedom and independence, it is more necessary than ever to correctly understand the problem of nationalities living in the territories of the various states as a result of historical coexistence over the centuries. The foundations of a lasting rapprochement among the workers regardless of nationality and of a mutually advantageous collaboration can be laid only by providing the political and economic conditions that will enable these

nationalities to enjoy all the civil rights and freedoms, to benefit by the advances of modern science and culture, to use the language they know, and to share on equal terms in construction of a better life as they can in Romania. In reference to the realities of today in this area of the European continent, Nicolae Ceausescu says we must realize we have a common obligation to know about the triumph of socialism in each of our countries through the efforts of all citizens regardless of nationality, and to provide through close collaboration for their rapid and all-around progress in accordance with the principles on which the ideals of socialist society are based. It is only by promoting this policy, especially in the field of history, that we can contribute to the formation of new relations of friendship, brotherhood and close collaboration among all peoples.

Romania's centuries-long history, in which we can take pride, has permanently combined the impressive tradition of defense of national integrity and independence with the struggle for national progress and respect for other people's rights and existence. The ideals of social freedom and national unity and independence, the spirit of social justice, and respect for other peoples' existence have their origins in the Romanian people's heroic struggle for freedom and independence. In this new history is not and cannot be merely an arch thrown over time, connecting the past with the future, but particularly a bridge between peoples and a means of strengthening the friendship between them. Under such circumstances the mystifications and futile attempts of some so-called "historians" to distort the Romanian people's history, as well as that of other peoples, appear even more anachronistic and incomprehensible. As servants of a purified science, the researchers in the field of history should give a firm, scientifically substantiated answer to these attempts serving interests in conflict with the truth and the cause of understanding and collaboration among peoples. As Nicolae Ceausescu pointed out at the Congress on Education and Instruction, "Romanian historians must speak from dialectical-materialist and historical positions, from scientific positions, since they must demonstrate not so much the continuity or discontinuity of the Romanian people, for the milieus prove this beyond a doubt and any digs the archeologists make reveal that the bones of the ancestors of the ancestors of our ancestors lie in these regions and in no others, but rather the fact that the peoples who have settled and lived together throughout history must find the way to entirely eliminate any traces of the policy of the oppressive bourgeois-landowner classes and the imperialist policy of dividing the peoples and that they must serve the interests of friendship, unity and the common struggle of the nations of Southeast Europe for freedom, for independence and for socialism and communism."

Subjective misinterpretation of the research findings according to certain situations or some narrow interests does not serve the cause of friendship among peoples or the interests of peace and international cooperation. Of course there can be differing views, controversies or errors in the approach to a given problem, and sometimes we even find intentional distortions. In helping to clarify matters and to combat false theories, the historians should make every effort to prevent discussion of the problems of the past from aggravating the differences and contradictions among peoples and make it reveal the

common interests and the constructive lessons learned from our ancestors' experience. Anyone reading a country's history should find the pages of the respective book equally a chronicle of the people and an invitation to understanding and collaboration, a friendly hand extended to all those who desire and militate for peace. So interpreted and written, history will fulfill its mission as a means to international understanding and collaboration.

The study and truthful writing of history have a highly important part to play on the general level of human knowledge as well as from the standpoint of political education. Books that distort the historical truth do not last, and they encourage manifestations of bourgeois nationalism, chauvinism and racism. Who is served by the viewpoint of the historian of his own people who appeals to the facts of the past to revive old chauvinist, revisionist and degrading theories? Obviously only the reactionary, backward circles and forces hostile to progress, peace and the construction of a better and more just world. Any honest man who feels at all responsible for the future of mankind will realize that such mystifications contradict history itself.

History has always been regarded as a science which, in addition to its educational values and informative function, is expected to contribute to solidarity among men and to a climate of peace wherein every people can freely determine its own future and ensure the progress of all humanity along with other peoples. To this end the contemporary Romanian historiographer mobilizes his powers to write a history in which the truth is given its proper place. In presenting the Romanian people as they were and as they are, the Romanian historian wants to be an ambassador of Romania, as he should be, in a fruitful dialogue with all those who are trying to maintain peace in the world and solidarity among all peoples.

The history of mankind is conceivable only as a single, comprehensive work including the histories of all peoples. It is a joint work, created and written by men with equal rights, wherein each one must figure by himself, extending his hand to his neighbor and appealing in the language of peace and friendship to all those who are creating a new world of freedom and justice.

As the RCP secretary general said to the representatives of the scientists at the recent conference in preparation for the 15th International Congress on Historical Sciences, such a history must accord an emphatic honorable mention to the role of the popular masses and the peoples themselves in the victory of the struggle for national and social liberation and in the creation of a new and prosperous life. The peoples are the creators of history. Closely united, they can do away with the imperialist, colonial and neocolonial policy of force and dictation and can bring about a climate of peace and security in the world and the triumph of a new policy of national independence, democratic collaboration, equality and respect among all nations. The very future of mankind depends upon the greater awareness and militant commitment of all nations large and small.

In reply to the party secretary general's appeal, the Romanian historians are resolved to make a persevering effort to do their duty as patriots and

revolutionaries and to make an active contribution to the construction of the fully developed socialist society and to the increasingly pronounced assertion of Romania in the world community of nations and of the Romanian people's will to live in freedom, peace and collaboration with all nations.

5186

CSO: 2700

PARENTS CRITICIZED FOR GIVING CHILDREN FOREIGN, EMBARRASSING NAMES

Need for 'Unpretentious' Names

Bucharest FLACARA in Romanian 3 Jul 80 p 11

[Article by Al. Graur: "Appeal to Tradition"]

[Excerpts] People with little culture, who avoid traditional words because they seem to them to be commonplace, also seek resounding names for their children, sometimes even with foreign pronunciation. The names come from characters in literature, from movie stars, so we find young people with names such as Adolf, Artur, Loreta, Ramona, etc. I ran across the woman's name Violanda, formed, it seems, from a combination of Violeta and Iolanda. The bad thing is that in Latin "violanda" means "the one who must be raped." I have known two cases of persons named Libertina; undoubtedly, their parents wanted to express their joy at having seen the liberation of the country. However, the word "libertina," of Latin origin, has come to mean "dissolute." It is obvious that women with these names will have trouble in life because some of their acquaintances will know the meanings of their names. Just as we have nothing to lose if we speak simply, with traditional expressions, we also do not expose ourselves to risks if we give our children unpretentious names.

'Social and Patriotic Responsibility'

Bucharest FLACARA in Romanian 3 Jul 80 p 11

[Article by Adrian Dohotaru: "Things With Which One Does Not Trifle"]

[Excerpts] We do not have the right to trifle with the names of our sons and daughters, not only because we might embarrass them and humiliate them for life, condemned, as a result of a sinister farce, to bear a horrible name but also because they are carrying on, by their first names and surnames, the events and happenings of our history and of our people and because they must belong to our ethnic being forever.

Recently, phenomena which pollute the language, which mutilate and debase it, have been noted. In addition to these phenomena which taint communication and stultify it, we note amazing and alarming manifestations of

irresponsibility, delirium or black humor, of aggressive cosmopolitanism, boorish snobbism, in the selection of names for newborn infants. A hemorrhage of foreign names, sometimes hilarious and aberrant, is recorded on the official records. Some of them are impossible to reproduce and are borrowed from underground literature, from X-rated films, from sensational reports in the newspapers; others are names which designate natural or meteorological phenomena, pop music trends, exclamations heard in stadiums, ads for face cream or toothpaste, constellations or space emissions, tourist information, names from the canine world.

Our people have always been noted for good sense, for stability, and for harmony. Let us abandon the fad of borrowing or stealing names which are foreign to our being and to our historic existence and let us recall, with heads uncovered before the tombs of heroes who died in the wars for the independence of the Romanian people, the beautiful names of Ion, Gheorghe, Nicolae, Stefan, Alexandru, Tudor, Traian, Mircea, Constantin--names which deserve to remain forever among the principal words used by our sons.

We submit this matter of great social and patriotic responsibility for discussion by all those who believe that they can contribute to the creation of mass opinion in support of giving names in accordance with the most pure and most true Romanian inspiration, in line with tradition and the aspiration of our people for that which is beautiful. You have the floor!

#### Search for 'Rare' Names Derided

Bucharest FLACARA in Romanian 10 Jul 80 p 15

[Article by Ion Coja: "Tell Me Your Name So That I Can Know What Kind of Parents You Have!"]

[Excerpts] These days, you can find more and more children with unusual names, some downright shocking, if not crazy. The principal purpose? That it be a rare name, one never heard before. I know of cases where parents have invented non-existent names for their children, so that they would be different from those around them. Others choose their names from other languages, seeking the rarest names in the belief that the name makes the man. The effect is the opposite. A name given in such a manner succeeds only in being bizarre, in arousing astonishment and smiles and causes pain later on to the innocent person who bears it and has to pay for the lack of seriousness of his parents. A child or a youth becomes famous not as a result of his name but through his deeds.

The lack of seriousness and irresponsibility of those who give such strange names goes hand in hand with the superficiality which they demonstrate later on in raising the children and caring for their destiny. It is preferable from all points of view for a child to have an ordinary,

normal name which does not attract attention and, especially, derision on the part of those around him. Not to mention the difficulty of finding a name to use when caressing a child with a non-Romanian name. A child named Maria can be called Marioara, Maruta, Mariuta, and Mariuca. What name can be used to caress a child named Venessa?

CSO: 2700

PLAGIARISM OF HISTORY TEXTS ALLEGED

Bucharest Teacher Accused

[Editorial Report] An article by Nicolae Stoicescu, principal researcher in the "N. Iorga" Institute of History, published in the 10 July 1980 issue of FLACARA, the Bucharest weekly organ of the Socialist Unity and Democracy Front pp 16, 17 entitled "A Plagiarism," publishes passages from two lecture courses published by Matei D. Vlad, lecturer in the faculty of history and philosophy in Bucharest which "bear striking resemblances to some published comprehensive works and other well-known monographs, including some written by the writer of this article [Stoicescu]; The author of these two courses has 'borrowed' wholesale from these works, possibly unaware of the fact that his condemnable procedure would be quickly discovered by a simple comparison of the texts."

Stoicescu compares excerpts from Vlad's courses and excerpts from works of writers whom he is accused of plagiarizing. The writers include : Miron Constantinescu, C. Daicoviciu, Stefan Pascu, Andrei Otetea, Stefan Olteanu, C. Serban, L. Demeny, N. Stoicescu, S. Coloumbeanu, Radu Valenti and C. Rezachevici, and concludes as follows :

"The principal effort of the author has been to copy hundreds of passages, amounting to more than 100 pages, from these works and to put them together--unchanged or with very few changes--in a composition which he publishes under his own name but which, in reality, belongs, for the most part, to other authors whose work is simply stolen.... This is not the first venture into this type of thing for the author of the two courses; he produced other 'works' by means of the same procedure. For example, the article 'The Legacy of Mihai the Brave for National Unity and Independence Up to the Installation of the Phanariot and Hapsburg Regimes,' [STUDII SI ARTICOLE DE ISTORIE, XXV, 1974, pp 141-150] is nothing but a coarse plagiarism of 'Istoria Romaniei [History of Romania] III, p 165, 171-172 and of the article by C. Rezachevici, 'adu Serba'-Worthy Follower of Mihai the Brave' (MAGAZIN ISTORIC, IV, 1970, No 10 and 11).

Firm Retaliatory Measures Needed

Bucharest SCIENCEA TINERETULUI in Romanian 31 Jul 80 p 4

[Article: "Once More About Plagiarism"]

[Text] Recently, the review FLACARA publicly repudiated, with courage and with proof, a new act of plagiarism occurring, this time, in the realm of the historical sciences. It is less important for us to discuss the identity of the so-called author than it is to discuss the practice itself which, if it does not succeed in casting a shadow over the worthwhile achievements of honest, competent researchers, should give us some food for thought. Since our newspaper treated such tendencies at the appropriate time (even treating self-plagiarism!) we think that the time has come to move on to firm and concrete measures against those who practice such methods which, we confess, we believed to have disappeared long ago. Thus, we expect from those in charge energetic and necessary measures which will eliminate, once and for all, from scientific life and journalistic activity, such practices and mentalities which are completely foreign to the principles and norms of socialist ethics and equity.

CSD : 2700

CEAUSESCU CRITICIZES POOR PREPARATION IN NUCLEAR PLANT CONSTRUCTION

Bucharest SCINTEIA in Romanian 18 Jul 80 pp 2, 3

Article: "The Working Visit of Comrade Nicolae Ceausescu to Constanta County"

Excerpts: The presidential helicopter lands near Cernavoda, where the first nuclear-electric power plant in Romania will be built. Comrades Cornel Mihalcea, chairman of the State Committee for Nuclear Energy, Gheorghe Cincos, deputy minister of electric power and numerous specialists are present.

A project listed in the guideline-program for research and development in the field of energy for the 1981-1990 period and in the principal guidelines up to the year 2000--a program of vital importance for the economic and social progress of the country--the nuclear-electric power plant in Cernavoda marks the beginning of nuclear energy in Romania. Our nuclear energy program takes into consideration the experience accumulated in the world, the different types of reactors and equipment in use, and our own experience. The location of the first nuclear-electric power plant in Cernavoda, according to the directives of the secretary general of the party makes it possible for the optimum terrain conditions to be used and permits the advantageous realization of the complex utilization of the waters of the Black Sea-Danube Canal.

The host uses sketches and diagrams to show the status of preparations for the construction of this plant. So far, about 1.4 million cubic meters of soil have been excavated for the placement of the central platform. The excavations for the foundation of the first nuclear reactor have been completed. The specialists point out that the construction of this project of special technical complexity requires that all elements contributing to its execution adopt and put into practice a special program for guaranteeing the quality of the entire project. The construction of the nuclear-electric power plant in Cernavoda has been entrusted to engineers, technicians and workers with rich experience in the construction of conventional electric power plants, members of the new construction and installation trust for nuclear-electric power plants. Also the hosts present the measures stipulated for this year and for the next five-year plan so that, according to the plan, the first 660 megawatt unit can be put into operation in 1985.

The secretary general of the party, believing that the volume of work executed so far at the construction site is not adequate and that things are still going too slowly, directed that effective measures which would assure an improvement of the work pace be taken immediately. Comrade Nicolae Ceausescu asked the State Committee for Nuclear Energy, the Ministry of the Machine Building Industry, the Ministry of the Metallurgical Industry, the Ministry of Technical-Material Supply and Control of the Management of Fixed Assets, the State Planning Committee, and all factors called upon to work together in the achievement of this objective, to support, directly and effectively, the construction of the first Romanian nuclear-electric power plant under the best possible conditions. In this framework, he directed that the documentation, the blueprints, the assimilation and the production of nuclear equipment should be finalized as quickly as possible and that the construction site should be provided with new equipment of high productivity, on a continuing basis. Also, Comrade Nicolae Ceausescu said that it is necessary that there be a better organization of labor, with a view to speeding up the work for the technological testing of aggregate complexes of the power plant so that the first quantities of electric energy can be produced in 1985.

In order to assure the realization in time and in the best possible conditions of the first nuclear-electric power plant in Romania, Comrade Nicolae Ceausescu has recommended that a special collective be established to coordinate the execution of this important investment project and to analyze, on a monthly basis, the progress of work at the construction site.

The responsible officials present, the specialists and the builders assured the secretary general of the party that they would take effective measures and that they would mobilize all their efforts and their capabilities for the exemplary execution of the directives given for the commissioning on schedule of the first nuclear-electric power plant in the country.

CSD: 2700

ROUNDTABLE DISCUSSION HELD ON WORKERS' STRIKES

Belgrade SOCIOLOGIJA in Serbo-Croatian No 4, Oct-Dec 79 pp 481-488

[Review and account of roundtable discussion by Dr Vladimir Miljanovic of the book "Radnicki strajkovi u SFRJ" by Dr Neca Jovanov, Trajna zajednica pisaca, Belgrade, 1979, 230 pages]

[Text] A discussion on the topic "Contradictions and Conflicts in Associated Labor," organized by the editors of the journal SOCIOLOGIJA and the lecture series "Books and Events" of the Marxism Center of the Central Committee of the League of Communists of Serbia, was held on 8 January 1980 in the People's Library of Serbia. The occasion for organizing this discussion was publication of the study by Dr Neca Jovanov entitled "Radnicki strajkovi u SFRJ" [Worker Strikes in Yugoslavia], published by the Permanent Community of Writers. The introductory address was delivered by Dr Vladimir Miljanovic. Along with a review of Dr Jovanov's book, we are also presenting a concise account of the discussion.

Conflicts between the workers and the system are a phenomenon in their own right under socialism, nor is the study of these conflicts any less contradictory a process. To be sure, the strength of a society, its capacity to correct itself and develop, is determined above all by that society's ability to confront the truth about itself.

In his book, which examines conflicts in associated labor in their extreme form, in the form of strikes, Jovanov takes as his point of departure the thesis that the strike is only one segment of the system, a segment related to micro and macro structures, with inherited, but also with new postrevolutionary, antagonisms. Lenin himself noted that the position of the working class under socialism is contradictory, since the working class must both fight to consolidate the results of the revolution through the wielding of power, and also fight against government power becoming independent, against bureaucratization and statization. Lenin saw the strike as the result of a number of contradictory factors: distortion of the function of

the proletarian state, an erroneous policy on the part of the enterprise's management, the backwardness of the masses, but also the ideological activity of the enemy. What separates Lenin from political pragmatism is his conception of the very essence of the conflict that occurs between the worker and the bureaucracy and his insistence not on extinguishing the conflict, but on using it as a source of energy for overcoming contradictions. His conception of the trade union as an instrument for resolving contradictions and for realizing class interests does not in fact allow the trade unions to be reduced to ameliorative and educative action, which is often all they are concerned with.

What is the position of Yugoslavia's institutional structure toward worker strikes in Yugoslavia?

The LCY Program and the Presidium of the LCY Central Committee have expressed their views clearly. The LCY Program adopts the premise that the "interests of the working class are no longer threatened," and as a consequence "there is no longer a need for a protective organization of the conventional type." At the same time the Program acknowledges the existence of tendencies incompatible with socialist self-management, which it by and large defines as the processes of bureaucratization and statization. Accepting strikes as a fact and as a conflict which is not directed against fundamental social relations, it finds the causes of strikes in the relations reproduced by technobureaucratic and managerial behavior, in underdevelopment of the material base of associated labor, in the backwardness of consciousness, in the insufficient activity of sociopolitical organizations, in the tardiness of actions by government agencies, in difficulties in employing the technological surplus of manpower at productive work, but also in the action of the class enemy. In its relation to self-management the strike is defined as a means of pressure and a factor tending to slow down the development of socialist self-management. In its documents the presidium sees opportunities for resolving situations that have come about through a strike above all in the existing institutional mechanism, in normative activity, in an arbitration which can be binding on the sociopolitical community "only within the limits of its realistic capability." Though in a way the documents present the view that the interests of the working class have been erroneously identified in connection with strikes, and accordingly do not note the class essence of the strike, all LCY documents insist in principle on improvement and development of the system toward a stronger influence of the direct producer on the process of realizing and distributing income, on strengthening responsibility, and on the decisive influence of the working class on production and reproduction of the life of society. Nevertheless, Iovanov rightly poses the question of the extent to which the strike reveals not only the discrepancy between the normative and the real, but also of the extent to which it reveals even the very nature of social relations, which claim to be the relations of self-management and of socialism.

The strike has not been prohibited by legal enactments of the government in Yugoslavia, which means that it is permitted, or, more precisely, this form of worker behavior, which is so important, has been legally evaded.

Jovanov has also been concerned with studying the attitudes of various categories toward the strike. He feels that the position of lawyers who engage in scientific work is closer to the views of the workers than the views of other groups. After them come those officials who are in quite close contact with the workers and who therefore display a greater understanding for workers. Nevertheless, even this group, which belongs to the political structure, consistently opposes the strike when such a position has been taken by a group to which they belong.

What are the circumstances that have an essential impact on the occurrence of strikes in Yugoslavia? They are the rapid increase in the size of the work force, the coming of the class to consciousness through the struggle to square its real position with its normative position, a democratization which is opening up possibilities for solving problems in the spirit of its requirements, but also the existence of workers alienated from centers of social power, restriction of self-management to the microlevel, and the decline in formal representation of workers in centers of social power. In the period of time under consideration, 1960-1972, the number of workers on workers' councils dropped from 76.2 percent to 65.5 percent, and the number on managing boards from 47.2 percent to 46.9 percent. The percentage [of workers among] chairmen of workers' councils dropped from 74.1 percent to 50.0 percent and among chairmen of managing boards from 69.5 percent to 41.4 percent. Moreover, the representation of unskilled and semiskilled workers has been dropping considerably faster than the representation of highly skilled workers. The number of workers in republic assemblies and the Federal Assembly dropped still more drastically over that period from 9 and 8 percent, respectively, to only 1 percent. At the same time the influence of "institutionalized power centers" and of experts has been growing, while unemployment and a feeling of social insecurity have been growing among the workers, so that a shift is taking place from a conflict between the workers and the managers of the enterprise toward a conflict that is between the workers and the bodies of workers' management.

N. Jovanov also sees causes of conflicts in political organization itself. He points out that one out of every four members of the work force is a member of the LCP, while only one worker out of 10 is. In his opinion much the same can be said of the policy-making bodies of the trade unions, in which the educated people outnumber the workers (except in Serbia) over the period studied. In 1973 there were 19 workers on the Council of the Federation of Yugoslav Trade Unions and 32 sociopolitical workers, 19 representatives of the technical intelligentsia and 36 others with an intellectual background (page 89).

The cultural backwardness of certain portions of the working class is most frequently taken into account to explain certain types of behavior. Jovanov

indicates that the cultural level of the working class has hardly been studied at all and is usually measured in terms of worker qualifications based on formal education. In 1968 they were as follows: 7.8 percent had no schooling, 29.8 percent had some schooling, but less than 8 years, 18.5 percent had completed the 8 years of elementary education, 36.0 percent had completed secondary education, 3.0 percent junior postsecondary and 4.9 percent senior postsecondary. Jovanov draws the interesting conclusion that cultural backwardness, along with certain adverse effects of the market, is conducive to partialization of interests and egoistic behavior patterns contrary to the overall interest of the class.

Where do the political sources of the conflicts lie? Jovanov accepts in its entirety the conception of Dr J. Goricar to the effect that the principal source of conflicts in associated labor lies in relations between government power, as a force over and above society, self-management as the tendency toward socialism, and the market as the hotbed of neoliberalistic patterns of behavior, but Jovanov has not filled out this framework with empirical data, though we can accept the view that the social differentiation which a market economy encourages is a source of social conflicts. We can also accept the thesis that strikes are not the result of antisocialist political activity.

Is the cause of the strike identical with the general sources of dissatisfaction and disappointment? These are the discrepancy between the "promised" and the "given," between the program and actuality, and the discrepancy between aspirations and reality brought about by rapid changes in the infrastructure.

Reports of government agencies (Secretariat of Internal Affairs) on strikes have been compiled for specific periods (1959-1963 and 1964-1965) but do not represent a systematic and planned examination of this problem area, or, very likely, documentation on the subject is not entirely accessible to the public.

The first of these reports covers an analysis of data on 627 work stoppages involving worker groups numbering from 8 to 400. According to this report, the causes of strikes are dissatisfaction resulting from the amount of earnings and reduction of pay, the accounting procedure for formation and distribution of personal incomes, the division between blue-collar workers and white-collar workers, mistakes in computation resulting from poor records, late payments of earnings, withholdings from earnings, the manner in which surpluses are divided or other relations in the organism, and even personal disagreements. The report does not cite a single concrete example of a work stoppage influenced by hostile activities, but it regards the orientation of the workers to resort to the strike as the exclusive means of regulating their status to be that kind of influence.

The other report indicates that strikes have been most frequent in enterprises generating little capital, in enterprises where unskilled and seasonal labor predominates, in enterprises with low personal incomes and with

a poor situation in general. It is interesting that the reports in the Secretariat of Internal Affairs do treat the strikers as legal citizens and take the position that "hostile and unwholesome elements" have no essential influence on the workers. A third report, which covers only the first 6 months of 1969, speaks about the use of violence, limited to be sure, and property damage that could have occurred during strikes.

The research of Dr. Jovanov himself covers several intervals between 1964 and 1970 and relies on rather uneven source materials: reports on the strikes in Trbovlje, Brastnik and Zagorje na Savi, and then his own research in which he used the questionnaire and interview, an analysis of the content of various documents, and statistical materials and other data.

The strikes in Brastnik, Zagorje and Trbovlje are singled out from the large number of strikes because of their size, but they are related to other work stoppages with respect to certain other characteristics. Though these analyses relate to work stoppages in discontinuous sequences, they still offer sufficient basis for certain conclusions. It is evident from the empirical data that work stoppages occur above all in the form of brief sudden explosions, that they have occurred considerably less frequently in sizable work organizations (work stoppages in organizations with over 1,000 employees represent only 20 percent of the strikes), that they break out in those sectors of the economy which as a whole are in a difficult economic position and in which the personal incomes are low. In 80 percent of the strikes production workers were the only group involved. Strikes break out in work organizations in which the influence of technobureaucratic structures has increased and the influence of the bodies of self-management has decreased. Jovanov has compiled an interesting list of data which he uses to show that as the workers see it (the period of the study was 1969-1971) the influence of the director and sector heads on decisionmaking is the largest in absolute terms, and that of workers' councils and collective bodies of management comes second. In the judgment of the workers the League of Communists takes only seventh place and the trade union only eighth and last place in the ranking by strength of influence. Only 11.5 percent of the workers want their children to be workers. Jovanov also cites as causes of strikes poor information, the inferior position of the workers by comparison with the position of specialists, and the inability to absorb the tremendous mass of information which is the basis for correct decisionmaking.... Whereas external reasons were the causes of only 16.2 percent of the strikes, internal relations are the cause in all other cases. The distribution of personal incomes was a cause of the strike in 36.4 percent of the cases, low incomes in 26.8 percent, underdeveloped self-management in 14.9 percent, conflict between parts of the work organization in 8.2 percent and poor information in 10.4 percent. In 92.9 percent of the cases members of the workers' councils went on strike along with the workers. Also, in only one strike out of four had the workers first exhausted all other means of peaceful resolution of the conflict.

What are the other characteristics of strikes? Poor formal organization: In only 4.6 percent of the strikes did the workers elect a leadership of the strike. Moreover, the strikes are spontaneous in nature. About 20 percent of the strikers left the scene of the strike. Though they break out in the form of rapid, sudden and relatively brief explosions, by and large the strikes are peaceful and civilized: there were demonstrations in only 2.1 percent of the cases, violence against those who did not want to strike in 1.9 percent, and physical assaults in only 3.3 percent of the cases.

What are the indisputably bad results of the strike? It is estimated that the worker demands were not justified in 24.4 percent of the cases. A decline of social cohesion and deterioration of human relations were recorded in 25.5 percent of the cases, declining authority of the bodies of self-management in 10.2 percent of the cases, and a decline in the influence of the League of Communists and the trade unions in 2.9 percent. In 10 percent of the cases greater confidence was shown that worker problems could be solved only through strikes. Nor should we overlook the datum that in 12.8 percent of the cases there was a decline in business collaboration as a result of the strike.

In spite of certain adverse consequences, work stoppages also have numerous constructive effects. Self-management was invigorated in 33.3 percent of the cases, in 13.9 percent distribution and remuneration according to work were carried out more effectively, in 18.6 percent the adverse influence of external factors was eliminated, in 14 percent the need for better information was intensified, and in 80.1 percent of the cases the workers later made up the time lost in the work stoppage.

The attitude of the news media and sociopolitical structures toward the strike is adverse. Not even half of the strikes were portrayed objectively, and the strike was supported in only 6.2 percent of the cases. But both the bodies of self-management and representatives of the community have by and large taken a favorable attitude toward solving the problems which the strikers stress. Yet the function of prevention is excessively emphasized in their attitudes.

Dr. Jovanov's research on strikes in Yugoslavia has indicated their association with micro and macro relations in society and the relations of conflictive patterns of behavior with social relations as a whole. Their premeditated character, their explosive occurrence, followed by a peaceful course, restriction of the conflict to the grounds of the enterprise (89.7 percent of the cases), the making up of lost time, localization of the conflict and limiting the outlook to the level of the structure of the work organization constitute specific features of the Yugoslav strike. The study also indicated that the strike is related to the social and political structure of society and to an ideological articulation of the conflict which frequently does not lead to a true resolution of the problems but to a temporary relief, so that a clear and uniform perception of this phenomenon is lacking.

Dr Jovanov's book is only a pretext for making several observations and perhaps comparisons with history concerning this inherent form of struggle of the working class. The working class movement as a whole and communists in particular have made outstanding use of the strike as a means of protecting their own existence and as an important instrument in the strategy of the struggle to attain their historical goals. Today, even where the working class movement has not destroyed the structures of bourgeois society, it has nevertheless been downgraded to an instrument whereby a highly bureaucratized staff of a worker organization uses for the purpose of limited corrections of society and for promoting its own place in the hierarchy of social status and for seizing a larger share in a society fraught with a neurotic desire for money. And in the socialist society the technicians of the organization relegate to the museum this explosive means of breaking down the relations of the past.

Nevertheless, Dr Jovanov's datum on the 2,000 strikes in our country in just one decade constitutes a rather clear statement concerning the topicality and dimensions of this phenomenon. At the same time we will leaf through our newspapers and magazines in vain or study the content of the other news media--reports on work stoppages are extremely rare and scanty. On this massive and frequent pattern of behavior of the class we regard as the ruling class they have, then, mainly remained silent, though important documents in the domain of politics and legislation have insisted even in this period on strengthening the influence of the direct producers on the processes of realizing and distributing income and on strengthening the decisive influence of the working class on the production and reproduction of the life of society as a whole.

What is the source of these contradictions? There is no doubt that the phenomenon of the work stoppage in socialism is in and of itself contradictory, that it is a consequence of the contradictory position of the working class itself. That is what makes its study in and of itself contradictory--at least for those who are not willing to substitute for scientific research a paraphrase of the views and description of the desires, needs and interests of centers of social power. To be sure, it is neither difficult nor debatable, nor even sufficient to establish in general terms contradictory tendencies in socialism.

Research projects are determined both by the intellectual capacities of the thinker and by the social environment in which the thought encounters its stimulus and response, its realization. They are determined, then, both by the ability to discover the truth and also by the ability of society to face the truth about itself--by those attributes, then, which are widespread, though in modest dimensions. As a rule that research which is highly praised and well paid for remains within the confines of accepted conventional thought, within the confines of the existing stream of events, representing things, phenomena and processes as inevitable and subject to law and the policy which has been defined as a scientifically sound policy. This kind of thinking subordinates the study to the needs of the status quo,

at best rationalizes it and conceptualizes it, perfects its institutional and normative framework, without evoking an awareness either of the tasks or the goals which lie outside the horizons of what already exists. But the study of social conflicts is one of the areas in which it is difficult for scientific thought to confine itself to the limits of a given positivity, without the researcher--sometimes even involuntarily--taking on harsh and critical tones and straying off to a time which is yet to come. Of course, Dr Jovanov, who was himself a worker, has quite consciously and deliberately abandoned the existing conventions in treating the strike as a segment of the system.

The next question we must ask ourselves is this: What is the place of work stoppages, that is, conflicts between workers and technobureaucratic structures at the level of the work organization, in the sum total of social contradictions in associated labor?

At the level of society as a whole the basic tendency is certainly that of emancipation of labor, which is being accomplished through various forms of socialist self-management organization of society. This is at the same time a process of permanent changes, a process which is not free of controversy and meandering, but it is a real process through which the historical interest of the working class is being achieved, though very gradually. Another tendency which almost our entire literature relates to the effect of the market, neglecting and overlooking its other sources and personifications, is the tendency to restore the way of life of bourgeois society. And the third tendency, which is verbally socialistic, and which has its source in postrevolutionary relations, also tends toward restoration of relations of domination. This is the bureaucratic aspiration to confine the socialist revolution to the limits of bourgeois rationality, which tries to reduce the problems of the socialist revolution and socialist humanism to the problems of technical progress. Within the constellation of these relations conflicts in associated labor, above all work stoppages, represent a conflict between the workers and the other structures. Their immediate pretext may vary quite widely. It is also impossible to make a simple judgment that will cover the range of patterns of behavior of the workers themselves and all their motives. Nevertheless, the predominant characteristic is the self-management, socialist and class orientation of the workers themselves. The workers are not merely reacting to immediate injustices. They are reacting to the discrepancy between the normative and the real, the discrepancy between their own expectations and their realization, essentially they are resisting the nonsocialist patterns of behavior of management structures. Nevertheless, the empirical data which Dr Jovanov has obtained show that their views do not rise to the global level of the society as a whole, that the conflict is localized at the level of the work organization. This is a hotbed from which a social disagreement arises: those whose monopoly and privileges are directly affected are by no means capable of seeing that a conflict in which the workers have the last word, at least temporarily, possesses not only a destructive aspect, but also a constructive side, that it is an indicator of new human needs and new possibilities both for man and for society.

The discussion also emphasized numerous other aspects of this phenomenon, but also the shortcomings of sociology. The work stoppage is a phenomenon which sums up in itself a multitude of unsolved problems, and its resolution is distinguished by hastiness and shortsightedness (Vukasin Pavlovic), research should remove the ideological veil from the phenomenon (Prvoslav Ralic), but it should also indicate its multidirectional orientation, its relation to the system, to the status of man, to the situation of the class and to the processes of its atomization and partialization. Work stoppages are always evidence that the channels of social communication are blocked (Velja Tomanovic), they are both an indicator of position in distribution and a protest against that position. Mladen Zuvela pointed to the need for real research of social conflicts which ought to be far from "showy reviews," which should illuminate the entire scattering of patterns of behavior, separate the causes which are on the surface of society from those which lie at the base of society, reveal the contradictory nature of the effects of the strike and the real relations which exist behind the formal structures, concluding that a worker strike, like other phenomena--absenteeism, the exodus from the workingman's world, and personnel turnover--is the result of the objectively unfavorable position of associated labor in our society.

The other participants pointed to the discrepancy between the quantitative and qualitative aspects of decisionmaking in the process of socialist self-management, finding the causes of strikes in basic social relations, in capital relations, in the absence of the pooling of labor and its replacement by the conventional enterprise, and in the siphoning of income, taking the position that a work stoppage is better than worker apathy, but also considerably less effective as an instrument for altering their position than a well-organized and well-thought-out social action.

Dr Jovanov's book itself was regarded as a courageous and unique scientific undertaking by all the speakers, and in spite of certain shortcomings and the distance in time, the results of the research are seen as scientifically valuable and still fully relevant.

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